

MINUTES OF MEETING OF TOWNSHIP OF PINE BOARD OF SUPERVISORS

May 16, 2016

Pine Community Center

PLEDGE OF ALLEGIANCE

ROLL CALL

The Township of Pine Board of Supervisors' meeting was called to order by Chairman Michael J. Dennehy at 6:30 p.m.

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

There were 22 visitors present.

CORRESPONDENCE

Mr. Anderson reported there is no additional correspondence.

PUBLIC COMMENT

Diane Fredericks of 265 Twin Oaks Drive, requested clarification on the acceptance of Montgomery Road concerning the right-of-way. She stated that it was her understanding that all steps necessary to possess access were never completed and it is her understanding that the right-of-way is dedicated but not accepted.

Gary Gushard stated that the road was accepted as an action of the Supervisors.

Diane Fredericks stated that the right-of-way was dedicated in 1954 but in her investigating it has never been accepted. She continued that it is her understanding that it is a two (2) step process and the second step was never completed, therefore how can the Township implement this as a usable right-of-way. Ms. Fredericks inquired if Mr. Gushard and/or the Board could look into the issue.

Mr. Gushard stated that he is confused by Ms. Fredericks question as to whether it is dedicated or accepted. Mr. Gushard stated it's his opinion the right-of-way has been accepted. Mr. Gushard stated that he works for and examines the matters for the Township and suggested that Ms. Fredericks is welcome to hire her own council to look into the issue.

Mr. Avolio stated that regardless of the claim that the Township has not accepted the road/right-of-way, the Township has the power of eminent domain. Pat Avolio added that the plan is on hold; therefore we are not looking into it at this time.

COMMITTEES

Parks and Recreation Commission

Joni Patsko stated that she and Board member Philip Henry interviewed a candidate who is interested in serving on the Parks and Recreation Commission. Ms. Patsko recommended Philip Raub, a Karrington Woods resident, be appointed to serve a three-year term on the Parks and Recreation Commission.

Motion was made by Mr. Henry and seconded by Mr. Spagnolo to appoint Philip Raub to serve a three-year term on the Parks and Recreation Commission. The aye on the motion is unanimous. Motion carried.

Joni Patsko highlighted the proposals received for the purchase of a new mower for use in Pine Community Park. Ms. Patsko stated that the recommendation is to purchase the Mahindra Max 24 Tractor with loader and mower in the amount of \$15,000.

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to approve the purchase of the Mahindra Max Tractor 24 with loader and mower in the amount of \$15,000. The Aye on the motion is unanimous. Motion carried.

Friends of Pine Community Parks

Ms. Patsko reported that the Friends of Pine Parks golf outing will be held at Wildwood Golf Club on July 25, 2016. Ms. Patsko also noted that the Friends of Pine Parks is bringing back the *Taste of Pine* in September.

INTERGOVERNMENTAL AGENCIES

Northern Tier Regional Library

Ms. Illis provided the Board of Supervisors with a copy of the library's latest newsletter and stated that the kick off for Summer Reading Club and all other programs, too numerous to name, can be found inside.

North Hills COG

Mr. Spagnolo had no report on the North Hills Council of Governments.

Pine-Richland School District

Mr. Henry had no report on the Pine-Richland School District.

PUBLIC SAFETY

Joint Police Board

In addition to his written report, Chief Amann stated that he was working with Pine-Richland School District to alleviate traffic issues at the entrance of the High School.

Fire Marshal

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

Wexford Volunteer Fire Company

The Board acknowledged the written report.

REPORT OF THE SOLICITOR

Mr. Gushard reported that he submitted to the required paperwork to the state to continue the process to disband the Pine Township Authority.

Mr. Gushard stated that the Board of Supervisors closed the Public Hearing for the Village at Pine PRD Plan of Lots Amendment No. 1-Phase VI at their May 2, 2016 meeting but left the record open until 5:00 p.m. on May 11, 2016. Additional correspondences received were given to the Board of Supervisors for review. The Board has until the first meeting in July to make a decision.

COMMUNITY DEVELOPMENT UPDATE

Developments before the Planning Commission

LAUREL GROVE SUBDIVISION

Mr. Kurpakus reported Cavalier Land Partners, L.P. is proposing the construction of a 244 unit mixed residential development. The development is proposed in two (2) phases and will include 34 single family lots, 56 patio home lots, and 154 townhomes. The project includes the construction of a community club house, pool and mini parks to meet the Parks and Recreation requirements. Landscaping, stormwater management and pedestrian improvements are proposed.

Mr. Kurpakus requested authorization to advertise for a Public Hearing for conditional use approval for the Laurel Grove Subdivision for the June 6, 2016 Board meeting.

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to grant authorization to advertise for a public hearing for conditional use approval for the Laurel Grove Subdivision for the June 6, 2016 Board meeting. The aye vote on the motion was unanimous. Motion carried.

THE VILLAGES AT CAMP TREES PHASE 2

Mr. Kurpakus reported The Villages at Camp Trees received preliminary approval on April 2, 2007. Phase 1 of the development was approved September 17, 2007 and is currently developed. The developer is requesting final approval of Phase 2 as the next phase of development. Phase 2 includes 5 lots in the Township of Pine with the remaining lots located in Adams Township, Butler County. There are minor outstanding items noted on the LSSE review letter dated May 2, 2016. The Planning Commission recommended final approval with conditions.

Motion was made by Mr. Spagnolo and seconded by Mr. Henry to grant final approval with the following conditions:

1. Compliance with all conditions of the preliminary approval dated April 2, 2007
2. Compliance with the LSSE review Letter dated May 2, 2016
3. Preparation of a standard Township Developer's Agreement

The aye vote on the motion was unanimous. Motion carried.

MAPLE ROW LAND DEVELOPMENT

Mr. Kurpakus reported Gigliotti Holdings proposed the construction of a 5,700 square foot mixed use commercial building with additional parking and stormwater management at 11360 Perry Highway. The Planning Commission recommended denial of the application; however, a revised re-submission is expected. Mr. Kurpakus stated that the applicant decided to withdraw the application; therefore there is nothing to discuss at this time.

ENGINEER'S REPORT

In addition to his written report, Mr. Heyl stated that 2016 road improvements are underway, crack sealing is completed, and on May 2, 2016 the pre-construction meeting for salt storage building was held.

PUBLIC WORKS REPORT

Mr. Barbarino had nothing to add to his written report. Mr. Dennehy complimented Mr. Barbarino on the nice job he is doing with MS4 projects.

ADMINISTRATIVE MATTERS

MINUTES

Motion was made by Mr. Henry and seconded by Mr. Spagnolo to approve the Board of Supervisors minutes of May 2, 2016. The aye vote on the motion was unanimous with the exception of Pat Avolio who abstained as he was not present at that meeting. Motion carried.

FINANCIAL STATEMENTS

Motion was made by Mr. Holdcroft and seconded by Mr. Spagnolo to approve the March/April Financial Statements and the payment of bills thereon. The aye vote on the motion was unanimous with the exception of Pat Avolio who abstained as he was not able to review the statements. Motion carried.

CONDITIONAL USE HEARING FOR BROOKFIELD ESTATES

Motion was made by Mr. Henry and seconded by Mr. Spagnolo to open the Conditional Use Hearing requested by Swinderman Development, LLC, requesting conditional use approval for a mixed Carriage and Patio Home Development located along Swinderman Road within the C-2 Zoning district. The aye vote on the motion was unanimous. Motion carried.

John Schleicher of Gibson-Thomas Engineering stated that the Brookfield Estates plan has been revised and re-submitted to include a 60 unit mixed patio and carriage home development on three parcels which includes the Knights of Columbus property, totaling 17.15 acres. A new cul-de-sac street is proposed to serve 50 lots with an additional 10 lots fronting Swinderman Road. The project includes stormwater management, landscaping and pedestrian improvements. The application includes 3 waiver requests: 2:1 slopes to limit disturbance, disturbance within 50' of a wetland for the construction of utilities and walking trail and reduced radius cul-de-sac to limit disturbance to the wetland.

Mr. Avolio asked if the proposal is compliant with 84-37A and 84-74A of the Code. Mr. Schleicher confirmed that the proposed plan is compliant with both carriage home and patio home requirements of the Code.

Mr. Avolio requested two (2) conditions be added: 1.) the planting located at the detention pond embankment be reviewed with staff due to possible planting limitations regarding MS4 requirements; and 2.) the landscape buffer on the north property be reviewed by staff for recommendation to add larger diameter trees.

Mr. Spagnolo stated that he is concerned with water runoff.

Mr. Dennehy questioned Mr. Schleicher as to the developer's intention to break ground with the sale of the Knights of Columbus property still pending.

Mr. Schleicher stated that the developer would like to break ground as soon as possible.

Troy Baer of 207 Briar Hill Court made a request for the trees in the buffer to be taller than what is proposed for enhanced privacy.

John Scheicher stated that the developer is proposing a 4' high topsoil mound with a double row of 6' high evergreens. Mr. Dennehy suggested the implementation of taller trees.

Mr. Gushard conveyed that there is a time frame factor for the Board's decision on the proposed plan and with the sale of the Knights of Columbus property still pending he is not sure what to recommend at this time. Mr. Gushard asked that Mr. Schleicher's client contact him to determine how to proceed from here.

Frank Spagnolo stated that he was not comfortable making a decision until the sale of the Knights of Columbus property is resolved.

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to close the Conditional Use Hearing requested by Swinderman Development, LLC, requesting conditional use approval for a mixed Carriage and Patio Home Development located along Swinderman Road within the C-2 Zoning district. The aye vote on the motion was unanimous. Motion carried.

PUBLIC HEARING FOR CLOVERDALE WOODS

Gary Gushard stated that court reporter Heidi Hawk is present to provide a verbatim record of the public hearing for Cloverdale Woods.

Motion was made by Mr. Holdcroft and seconded by Mr. Spagnolo to open the Public Hearing requested by Woods at Pine L.P., requesting Tentative Approval for a 25 lot Planned Residential Development known as Cloverdale Woods located along Wallace Road within the R-2 & S-1 zoning districts on parcel numbers 2000-R-20 and 1825-C-21. The aye vote on the motion was unanimous. Motion carried.

The applicant's representative, Steve Victor of Victor-Wetzel Associates stated the proposed plan Cloverdale Woods is an alternative plan to the Woods of Pine originally presented. The Mr. Victor presented the slopes map and explained the top of the hill will be the prime developed area. The proposed plan is to have a single cul-de-sac street with entrance access from Cloverdale Drive and will allow for future connection to the property to the west. Areas have been set aside as open space; the existing house, currently located on the property, will remain and is to be incorporated into the plan as lot 113. The plan proposes 24 single family lots, half (12 lots) designated as patio homes and half (12 lots) designated as single family detached dwellings. Stormwater management, pedestrian and landscaping improvements are part of the plan, including 488 trees of significance and a 40' conservation easement and bufferyard planting on lots adjoining the 40' open space buffer.

Pat Avolio inquired if the 25 lot Planned Residential Development (PRD) complies with both the patio home and single family dwelling conditions of the Township's Code noting that all conditions will apply.

Steve Victor stated that the site will be developed using PRD requirements therefore the patio home conditions of the Code should not apply.

Gary Gushard asserted that he will look into the matter to confirm.

Pat Avolio stated that based off of the plans there is a 50' right-of-way near the pond that the developer is proposing for access. Mr. Avolio stated that the Township owns the property where access is shown; therefore there is a liability associated with the developer using it.

Steve Victor acknowledged that the access is shown on Township property.

Mr. Avolio clarified that Mr. Gushard and the applicant need to review this issue.

Mr. Victor stated they would be happy to review and clear up the matter.

Frank Spagnolo stated that he has a concern over adding more homes that utilize Cloverdale Drive as access and questioned if the developer would look into finding an additional access for this property.

Steve Victor replied that it is not economical or practical due to the slopes and stated that if the previous trip generation is reviewed there was more traffic associated with that plan than this one. Mr. Victor stated that he believes the overall impact will be negligible.

Frank Spagnolo reiterated that he would like the developer to look into another access. Mr. Victor said he would review the subject with staff.

Mr. Gushard asked if the Planning Commission conditions were acceptable.

Mr. Victor replied affirmatively.

Damon Anderson of 432 Cloverdale Drive stated that Cloverdale Estates is a single family home community of 100 homes located on Cloverdale Drive, Cloverdale Court, and adjoining Bradford Drive. The neighborhood connects Route 19 with Swinderman Road, which subsequently intersects with Wallace Road directly across from Village of Pine. The neighborhood is 25 years old and has seen the recent increase in replacement of empty nesters with new residents with young children. Since 2013, at least 12 new residents have moved in with at least 24 young children.

Damon Anderson stated that his first concern is for the safety of families and creation of recreational areas. The existing neighborhood is built upon rolling hills, which equates with many truncated backyards and short driveways. The result is that most kids play on the sidewalks and streets. This compounded with increased traffic equates to safety concerns for families.

Damon Anderson stated that in the Planning Commission meeting minutes dated April 11, 2016, the Planning Commission asked why the developer did not show any recreational equipment/areas in the PRD plan. The developer stated that payment of a fee in lieu of the provision of open space and recreational amenities is the better way to go because of the mixed lifestyles of the future residents, empty nesters and single families. This does not consider the existing neighborhood to which this PRD will exclusively connect.

Damon Anderson asserted that it would be of great benefit to the entire community for the developer to provide a recreational area and equipment to address the concerns mentioned. He indicated that with the additional homes, the residents are facing potentially a 125+ home community with no space for facilities.

Damon Anderson stated that another concern is traffic along Cloverdale Drive, Cloverdale Court, and Bradford Drive. The increase in both residential and heavy construction traffic is also a safety concern. Another approved PRD is currently under development linking Cloverdale with Tanglewood, which will also bring heavy construction and residential traffic, as well as more kids

The traffic issue is further compounded along Bradford Drive. Approximately 8 homes line this road, which are bookended with developing commercial sites. At the top of Swinderman Road, the past two years have seen the addition of a UPMC specialty care building, a Highmark healthcare concierge building, and another building currently under construction, along with additional parking lots. A PRD of 60 homes has tentative approval for the far end of Swinderman Drive. The Swinderman-Bradford road is also a cut through for visitors to the Village of Pine. Drivers speed down Bradford Drive unaware of the neighborhood. Mr. Anderson questioned what can be done to mitigate traffic and provide a safer plan.

Mr. Anderson went on to say that all of this leads to a significant increase in car and truck traffic, which will continue to grow with area developments and commercial approval and the influx of residents and visitors. Existing and emerging traffic concerns throughout Cloverdale Estates and along Bradford Drive should be addressed with full disclosure to Cloverdale residents before any further development takes place. Mr. Anderson stated that he respectfully requests that these concerns be researched and addressed prior to approval of the Cloverdale Woods PRD.

Nancy Tolfa of 349 Cloverdale Drive stated she would like to understand the zoning requirements for an S-1 district. Ms. Tolfa stated that she does not feel that this zoning goes far enough in preserving the trees in this area and would like to know why exemptions are requested.

Mr. Gushard stated that a PRD allows different rules associated with it. Ms. Tolfa reiterated that she would like to see a more aggressive approach to conserving the trees.

Steve Victor showed the zoning line from the S-1 and R-2 zoning district, as well as open space areas where all trees will be preserved, and the existing trees that will be preserved. He noted that the development will preserve 95% of the existing trees within the S-1 district.

Pat Avolio added that the developer is also providing a bufferyard with plantings on all 4 sides. Mr. Avolio asked Steve Victor if the developer could stake out the areas of clearing to avoid confusion. Mr. Victor affirmed that the areas for clearing could be staked.

Troy Baer of 207 Briar Hill Court, asked the Board why the fee in lieu of recreational facilities was allowed. He believes it would be of more benefit to create the sidewalks and play areas. Mr. Baer inquired as to where the money collected for "fee in lieu of the dedication of recreation land goes.

Mr. Avolio stated that monies collected as a "fee in lieu of" are used for recreation opportunities elsewhere within the Township.

Tye Alcook of 401 Cloverdale Drive stated that the green space area has no lighting and inquired if there is a plan to add lighting.

Steve Victor stated that the developer will add decorative lights at the plan entrance only.

Pat Avolio restated that the right-of-way issue needs resolved prior to any approval and will be included as a condition of approval along with Mr. Victor's statement that lighting will be added to the intersection at Cloverdale Drive, and staking out clearing limits prior to construction.

Motion was made by Mr. Avolio and seconded by Mr. Spagnolo to close the Public Hearing requested by Woods at Pine L.P., requesting Tentative Approval for a 25 lot Planned Residential Development known as Cloverdale Woods located along Wallace Road within the R-2 & S-1 zoning districts on parcel numbers 2000-R-20 and 1825-C-21. The aye vote on the motion was unanimous. Motion carried.

VILLAS OF ENGLISH FARMS, LP, EXTENSION REQUEST

Motion was made by Mr. Henry and seconded by Mr. Holdcroft to grant the Villas of English Farms, LP, request for an indefinite extension for the Supervisors to hold a Public Hearing to review the preliminary plan. The aye vote on the motion was unanimous. Motion carried.

PERMISSION REQUEST TO CLOSE CHURCH ROAD FOR FESTIVAL

Mr. Kurpakus stated that Pine business owner Pat Cavanaugh is requesting the temporary closure of Church Road on Saturday, May 21, 2016 from 9:00 a.m. - 6:00 p.m. for his new business *Come Ready Nutrition*, located at 170 Church Road, to sponsor the "Wexford Family Fun Festival". In the Board packet is a collection of signatures from businesses along Church Road stating they have been informed about the closure and support the event.

Pat Cavanaugh explained that he is requesting the closing of Church Road to hold the *Wexford Family Fun Festival* event for three specific purposes:

1. Promote businesses in the area
2. Promote health & fitness
3. Introduce his business

Mr. Cavanaugh stated that Chris Fitting, WesBanco Bank, Patron's and St. Alphonsus Church have generously permitted parking for the event.

Ed Holdcroft stated that he feels there is too much traffic to close the road. Frank Spagnolo agreed.

Pat Cavanaugh stated that he has considered hiring an off-duty police officer to help direct traffic and for pedestrian safety.

Mike Dennehy commented that with the event being 9 hours long there would be a need for possibly 2-3 officers.

Pat Cavanaugh emphasized that he would be willing to absorb the cost of hiring 2-3 off-duty officers for the event, because we feel it's important to promote the businesses.

Chief Amann stated that there are major concerns with the amount of vehicle traffic coming from all directions in that area with pedestrians approaching from parking St. Alphonsus, Wesbanco Bank and Patron's. This is a family event; therefore there is the possibility of many children close to the traffic on Route 910 as well.

Pat Avolio stated that he is not sure the road can be shut down without notifying PennDot, due to Church Road connecting to Route 19.

Phil Henry specified his concern is liability for the Township. He also complimented Mr. Cavanaugh on the renovated look of the barn.

Pat Cavanaugh asked if there are any events similar to this held like this anywhere in Pine.

Joni Patsko, Director of Parks and Recreation, replied that Community Day and Holiday Dazzle are held in Pine Park each year.

Ed Holdcroft stated that the issue is the idea of closing Church Road and not a concern with the event.

Mr. Cavanaugh inquired if businesses could display items on the sidewalk without closing Church Road.

Mr. Avolio stated that they would be held to ADA compliance needing a 4' walkway around tables and items on the sidewalk.

Mr. Dennehy confirmed that the Board cannot grant the request of closing Church Road but wishes him good luck with the event.

JUNE 6, 2016 BOARD MEETING

The Board reviewed and approved the agenda proposed for the June 6, 2016 meeting.

ADJOURNMENT

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

The meeting adjourned at 7:43 p.m.



Recording Secretary



Township Manager