

**THESE MINUTES ARE CONSIDERED UNOFFICIAL UNTIL APPROVAL AT THE FOLLOWING MEETING.
MINUTES OF TOWNSHIP OF PINE PLANNING COMMISSION MEETING**

Monday, April 12, 2010

Pine Township Municipal Building

This session of the Township of Pine Planning Commission was called to order at 7:00 p.m. by Pasquale Avolio.

Members in attendance were: Pasquale Avolio, Chair; Michael Hansen, Vice-Chair; Joel Dennison; John Lombardo; Shannon Miller-Yeakel; and Garrin Welter. Also present were Larry Kurpakus, Director of Code Administration and Land Development; and Timothy R. McClelland, Lennon, Smith, Souleret Engineering, Inc.

There were approximately 25 visitors present.

Mr. Avolio explained that the Planning Commission is a recommending body and all approvals must be received from the Board of Supervisors.

PLEDGE OF ALLEGIANCE

MINUTES

Motion was made by Mr. Welter and seconded by Mr. Hansen to approve the minutes of the March 8, 2010 Planning Commission meeting. The aye vote on the motion was unanimous with the exception of Ms. Miller-Yeakel who abstained due to her absence at that meeting. Motion carried.

PINE-RICHLAND HIGH SCHOOL

Mr. Kurpakus reported that discussion of the Pine-Richland School District submission is a continuation from the March 8, 2010 meeting. He highlighted the submission for an approximate 117,000 square foot building addition to the high school on Warrendale Road. He advised that site development includes the construction of an asphalt drive around the building to serve the expanded student parking area. Additional reconfiguration of the existing parking areas is included to provide a single bus pick-up/drop-off for both the high school and middle school buildings. Mr. Kurpakus added that the proposed parking is consistent with the minimum parking requirements established with the existing conditional use approvals for the stadium. He also added that the project includes comprehensive traffic improvements. Most significant is a traffic signal at the intersection of Warrendale Road and the High School entrance and another at the intersection of Babcock Boulevard and Warrendale Road. Mr. Kurpakus summarized the plan revisions include the addition of internal traffic control signage, line striping and traffic calming measures. Mr. Kurpakus reminded that several minor items remain to be resolved from the April 12, 2010 review letter of Lennon Smith Souleret Engineering and final details have not been provided on the proposed traffic improvements along Warrendale Road and Babcock Boulevard.

Mr. McClelland advised that the April 12, 2010 letter of review is an update to the March 1, 2010 review of Lennon Smith Souleret Engineering.

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PINE-RICHLAND HIGH SCHOOL (Continued)

Motion was made by Mr. Dennison and seconded by Mr. Welter to recommend to the Board of Supervisors, a waiver to Code Section 84-125.A.(8), requiring the proposed storm sewer collection and conveyance facilities be designed for the 100-year design storm event to contain the energy grade line within the structures and pipes, as a waiver request acknowledging ownership and maintenance responsibility for the private storm sewer system has been submitted to the Township, subject to staff approval and review by the Township engineer so as not to impact adjoining properties. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Dennison and seconded by Mr. Lombardo to recommend to the Board of Supervisors, preliminary and final approval of the Pine-Richland School District Land Development Plan, pursuant to Drawing C000, dated April 5, 2010, and Drawings C001, C100, C101, C,102, C200, C202, C203, C204, C205, C300, C301, C302, C400, C401, C500, C501, C800, C801, C802, C803, C900, C901, C902, C903, C904, C905, C906, C907, L100, L101, L102, L103, all dated March 4, 2010, and all prepared by CED, Inc.; Drawings ES100, ES101, ES102, P114, P116, P117, P118, and SP3-1, all dated February 15, 2010; Drawings A-1, A-2, A-3, A-5, all dated February 12, 2010, and L-2, dated October 30, 2000, all prepared by Eckles Architecture, with the following conditions: 1) Subject to the Wooster & Associates traffic impact study dated February 2010 with subsequent review and approval of the Township traffic engineer. 2) Compliance with the April 12, 2010 review letter of Lennon Smith Souleret Engineering. 3) Submitted geo-technical report to be sealed by a licensed engineer. 4) Execution of a developer's agreement. The aye vote on the motion was unanimous. Motion carried.

HEURICH PROPERTY

Mr. Kurpakus reported that Heurich Construction has resubmitted an Application for Change in Zoning District for property located south of Route 910 in the area of Brown and Reynolds Road. He specified that the affected parcels are approximately 74 acres. Mr. Kurpakus pointed out that the request to re-zone "R-1" property to "R-2" and "R-3" may result in higher density residential development. He noted that adjacent parcels to the west are currently "R-2" and "R-3" and parcels to the east are "S-1". Mr. Kurpakus reported that the exhibit drawings have been revised to reflect comments from the March Planning Commission meeting and the submission now proposes rezoning of the primary parcel south of Route 910 to "R-3" and "R-2". He added that the parcel south of Brown Road in now shown to remain as "R-1".

Mr. Steven Victor, Victor-Wetzel Associates, introduced legal counsel Daniel Gramc, Goehring Rutter Boehm, and the property owner, Ronald Heurich, Jr. Mr. Victor explained that the rezoning application was revised to reflect Planning Commission comments of the previous meeting. He explained that the current submission reduces the proposed "R-3" from 63 acres to 42 acres. Mr. Victor explained that the ridgeline, which parallels Route 910, would make a natural boundary line for the "R-3", thereby making that portion of the property, which faces Route 910, "R-3". On the backside of the ridge, "R-2" is proposed from the ridge down to Brown Road, thus leaving all the property south of Brown Road, "R-1". He stated that the

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HEURICH PROPERTY (Continued)

proposed zoning is similar to the contour or transitional zoning found in the neighboring properties and other parts of the Township. Mr. Victor stated that although the Municipalities Planning Code Section 609 does not directly apply, he felt it provides reasonable criteria that the governing body may consider in reviewing a zoning request. He then listed the five criteria and pointed out that the rezoning request favorably addressed each.

Mrs. Elaine Jewart, 111 Oakhaven Drive, questioned the provisions of each of the referred zoning districts.

Mr. Kurpakus explained that "R-1", "R-2", and "R-3" are all residential, with "R-3" permitting the greatest density with the allowances for garden apartments and townhouses.

Mr. Dennison remarked that the resubmission was preferable to the previous submission, but in considering the adjoining zoning districts, he would prefer that the area requested to be rezoned from "R-1" to "R-3" match the "R-2" boundary north of Route 910. Mr. Dennison stated he would not be in favor of rezoning 42 acres from "R-1" to "R-3".

Mr. Hansen stated he favored the current zoning and saw no reason for considering rezoning.

Mr. Welter added his support to Mr. Dennison's suggestion.

Mr. Lombardo suggested a transitional area be established.

Mr. Victor pointed out that their resubmission followed the existing physical characteristics of the property line and ridgeline.

Mrs. Miller-Yeakel questioned if there were any immediate development plans for the property.

Mr. Victor stated there is no intent for development at this time, they are simply attempting to create a better opportunity for future development. He added that there is no intent to develop until The Village of Pine is completely developed.

Mr. Avolio questioned how access to the property could be provided without accessing Reynolds Road, which is not in a condition to be used for access. He added that slopes and the topography are also concerns. Mr. Avolio expressed his opinion that more disturbance than indicated will occur with development.

Mr. Victor stated there are only two possible access points along Route 910, one being opposite of The Village entrance on Route 910 and the other near Hill Road. He added that he did not believe they could access Reynolds Road, due to the vertical curve, although they would access Brown Road. Mr. Victor questioned if the Planning Commission would be in favor of the

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HEURICH PROPERTY (Continued)

area between Brown Road and Route 910 being rezoned to "R-2", which would decrease the proposed 42 acres by 15 acres, with 27 acres easterly of the "R-3" to be rezoned "R-2".

Mr. Dennison stated that would be preferable and he would be willing to recommend that the remainder be rezoned "R-2".

Mr. Welter agreed that would be more acceptable.

Ms. Miller-Yeakel agreed with Mr. Dennison's suggestion and the suggested revisions.

Mr. Avolio expressed his desire to see transition further west and a road network plan before additional consideration.

Mr. Victor agreed to supply roadway and grading criteria. He distributed copies of a revised April 7, 2010 letter, correcting spelling errors. He then requested that the issue be tabled.

Motion was made by Mr. Dennison and seconded by Ms. Miller-Yeakel to table consideration of the Heurich Construction Application for Change in Zoning District. The aye vote on the motion was unanimous. Motion carried.

THE VILLAGE AT PINE, PHASE V, FINAL APPROVAL

Mr. Kurpakus reported that Phase V of The Village of Pine includes 115 single-family residential lots on approximately 64 acres. He noted that waiver requests have been included with the application and shown on the submitted plans. Modifications #1 and #2 are requests that the 50-foot no disturbance buffer be waived in the area of the wetland naturalization park and stream crossing. Modification #3 is a request to approve 10-foot private stormwater easements. Township Code specifies easements to be a minimum of 20 feet. Modification #4 is a request to approve the construction of sidewalk on one side only of Village Club Drive at the existing North Hills racquet club parking lot and Umbellous Drive in the area of the wetland naturalization park and the rear of Lots 615/614 at the cul-de-sac. Mr. Kurpakus advised that the proposed plan does not incorporate design details for the TC-PRD District and the proposed building elevations have not been resolved. Currently, the majority of the structures indicate front entry garages with limited architectural details to support the TC-PRD design details and screening of parking requirements, consistent with Phases III and IV. Also, the required improvements for Phase IV, specifically the Route 910 intersection, have not been provided. Mr. Kurpakus noted that correspondence, regarding outstanding Parks and Recreation issues, was distributed that evening. He concluded that there are numerous items remaining from the Lennon Smith Souleret review letter of April 1, 2010.

Mr. Avolio questioned if the applicant was prepared to address the issues outlined in the engineer's review.

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THE VILLAGE AT PINE, PHASE V, FINAL APPROVAL (Continued)

Mr. Don Trant, Trant Corporation, stated that he felt the only remaining issue related to stormwater management.

Mr. Avolio questioned if provisions for the roadway connection to Route 910 have been provided.

Mr. Kurpakus advised that a draft of the Route 910 design for the turning lanes and culvert crossing has been submitted.

Mr. Avolio recalled that only 44 construction permits for Phase IV were to be issued until the Route 910 access was completed, which Mr. Kurpakus confirmed.

Mr. Trant reminded that the subdivision approval, to permit the access, was just received several months ago. He explained that Phase IVB, which is directly where the connection to Route 910 will be located, has been submitted for recording. He then advised that the proposed 115 single family lots in Phase V will have lot widths of 44 feet, 52 feet, and 68 feet. Mr. Trant noted that the required 40-foot buffer is provided. He then provided specifics of Park C.

Mr. Kurpakus pointed out that the parking area and trail are required to be paved, although gravel is indicated.

Mr. Trant pointed out that on-street parking is indicated and alley access is provided for 11 of the lots, to permit rear garages. He reported that one additional modification request for vertical curve criteria is needed, per the engineer's review. Mr. Trant agreed to expand the proposed 40-foot buffer to 50 foot. He explained that the lot size would remain the same, but a 10-foot "no build" area will be indicated on each. Mr. Trant advised that a geo-technical report for the concrete culvert will be submitted to the Township and the Pennsylvania Department of Environmental Protection, once completed. He advised that the Route 910 turning lane drawing has not yet been submitted to PennDOT.

Mr. Anthony DePretis, Ryan Homes, summarized the types of homes proposed for the development. He pointed out that facades were altered facades and there is variation between front and rear garages, where possible.

Mr. Avolio asked that Mr. Kurpakus provide the tentative approval so several issues could be verified.

Mr. Steve Leonard, 211 Pine Cone Court, expressed his concern with density. He stated that the map legend indicated only 15 feet between dwellings.

Mr. Avolio explained that the density was approved in the tentative approval. He advised that Mr. Kurpakus could provide specifics on the tentative approval during regular business hours.

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THE VILLAGE AT PINE, PHASE V, FINAL APPROVAL (Continued)

Mrs. Elaine Jewart, 111 Oakhaven Drive, stated that the current plan appears to be very different from the submission several years ago. She then objected to the indicated gravel trails and it would not be conducive to bike and stroller use.

Mr. Jeff Kozemchak, 208 Pine Cone Court, expressed concern with buffer yard and density. He stated that the buffer yard will most likely be encroached due to the small yards. Mr. Kozemchak referred to the greenspace and questioned why the plan couldn't be revised to shift the development away from the Oakhaven houses. He also expressed concern with disturbance to the natural vegetation.

Mr. Avolio advised that the grading and landscaping plans are available at the Municipal Building during business hours.

Mr. Trant explained that slope restoration is required. He added that the back of houses will be approximately 87 foot from the property line. He explained that it would be very difficult to shift the development further away from the Oakhaven houses due to slope limitations and wetland encroachment.

Mr. John Huard, 210 Pine Cone Court, questioned why development was so close to the Oakhaven plan.

Mr. Trant explained the plan was developed using the topographic constraints, stream and 50 foot buffer, earthwork calculations, Township and DEP requirements, and practical constraints.

Mrs. Carolyn Dishart, 121 Drake Drive, stated that she has lived there longer than anyone in that neighborhood and she felt the Oakhaven resident's concerns should be considered.

Mr. Avolio reiterated that the density was set in 1999 with the tentative approval.

Mrs. Jewart suggested the buffer zone be adjusted.

Mr. Tom Jewart, 111 Oakhaven Drive, stated that the developer is just trying to optimize his income and what they are proposing is not right.

Mr. Dan Gramc, Goehring Rutter Boehm, pointed out that the tentative approval permits 10 units per acre or 499 units, while only 474 is proposed. He also pointed out that the developer has provided many amenities as part of the approval, such as grading and then donating property for a new fire station. Mr. Gramc stated that the developer has spent millions of dollars on public improvement associated with the development.

Ms. Yeake-Miller questioned if larger size lots would still require the same amount of disturbance and Mr. Trant advised that they would.

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THE VILLAGE AT PINE, PHASE V, FINAL APPROVAL (Continued)

Mrs. Lisa Marshall, 119 Oakhaven Drive, expressed concern that the wetlands would be compromised with asphalt and picnic tables. Mrs. Marshall also expressed concern with grading at the rear of her property. She stated that she had previously retained an attorney and the developer had agreed to provide a 50 foot buffer if the density was higher than two units per acre.

Mr. Avolio asked that Mr. Kurpakus review that issue.

Mr. Kurpakus pointed out that the development is proposing 1.79 units per acre. He explained that the density is calculated using the entire land area.

Mrs. Marshall stated that the landscaping plan does not indicate the existing specimen trees.

Mr. Trant advised that a "Trees of Significance Disturbance Plan was submitted.

Mr. Joseph Kirby, 117 Oakhaven Drive, added his concern with disturbance and erosion. He asked that the requested waivers not be granted.

Ms. Claire Schwarz, 121 Oakhaven Drive, remarked that the Planning Commission does have control over the wetland buffer and for it to be outlined with on-street parking was ridiculous. She asked that trees not be removed, where possible, and that the Planning Commission not permit encroachment onto the wetlands.

Mrs. Lillian Kampas, 113 Oakhaven Drive, expressed her concern with the buffer zone as she felt there will be encroachment due to the size of the back yards.

Mr. Avolio explained that the 10 foot area would be designated as a conservation area on the property deeds.

Mr. Gramc agreed to provide that designation.

Mr. Steve Leonard, 211 Pine Cone Court, stated that 3 or 4 large trees behind his house are painted and he questioned if they are to be removed. He noted that it appears areas of disturbance will extend into the buffer zone. Mr. Leonard asked that the wetlands buffer be adjusted to provide additional buffer to the Oakhaven residents.

Mr. Avolio clarified that the Township Code permits disturbance to the buffer area but requires specific restoration plantings.

Mr. Trant surmised that the marked trees could be "trees of significance", marked years ago.

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THE VILLAGE AT PINE, PHASE V, FINAL APPROVAL (Continued)

Mrs. Lisa Wilson, 115 Oakhaven Drive, asked that the five-foot mitigation trees be larger and denser to provide better screening.

Mr. Avolio explained that the proposal complies with Code requirements, although the applicant may offer to increase the size and number.

Ms. Yeake-Miller asked that the Planning Commission be provided with a copy of the tentative approval. She then asked if the developer could provide a cross-section to illustrate what the Oakhaven residents will see from their property.

Mr. Trant stated that would not be possible as he does not have Oakhaven house elevations. He did agree to provide something to assist with that visualization.

Ms. Yeake-Miller questioned if ten foot is sufficiently wide enough for storm sewer and Mr. Trant stated that it was as it will only carry private stormwater and a 20-foot easement is not necessary.

Mr. Lombardo asked that the walkways be constructed of asphalt.

Mr. Welter asked that the applicant heed the resident concerns voiced that evening.

Mr. Hansen questioned the area where no “trees of significance” were indicated.

Mr. Trant stated that he was unsure of that reason as the plan was prepared by the Township Environmental Advisory Council in 2006 or 2007.

Mr. Hansen questioned the term “Woodlands Replacement”, on Drawing L104.

Mr. Trant again stated he was unsure.

Mr. Dennison asked that the developer explain the topographic constraints.

Mr. Trant stated they were DEP requirements, the detention pond, the wetlands and wetlands buffer, and topographical.

Mr. Dennison expressed his belief that it was technically possible to shift the development away from the Oakhaven plan. He asked that the developer considering doing so and to provide additional buffer and visual screening. He then pointed out that the Parks and Recreation Commission suggested several changes in their 2007 approval, but it appears very few were addressed.

Mr. Trant explained that was different phase. He clarified that Park A is in Phase III, Park B is in Phase IV, and Park C is in Phase V.

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THE VILLAGE AT PINE, PHASE V, FINAL APPROVAL (Continued)

Mr. Kurpakus stated that the Parks and Recreation recommendation did not clarify which amenity was to be constructed per phase.

Mr. Dennison asked that the active recreation area be described.

Mr. Trant advised that it will include a 130 x 220 foot soccer field and a 42 x 50 foot half-court basketball court, as well as walking trails, benches and fitness stations. He stated they did not deviate from the Parks and Recreation recommendations.

Mr. Dennison questioned naturalization of the wetland area.

Mr. Trant stated he would report on that at the subsequent review as he was unsure if all the plantings have been completed as required under the DEP permit.

Mrs. Jewart, 111 Oakhaven Drive, extended an invitation to all Planning Commission members to view the wetland area from her property.

Mr. Avolio advised that he anticipated the Planning Commission will be recommending that no additional construction permits be issued until the connection to Route 910 is accomplished. He requested that traffic improvements be indicated on the plan, as well as non-disturbance within the buffer. Mr. Avolio stated that he would be in favor of granting a waiver to the 50 foot wetland buffer if the development was shifted away from Oakhaven. He questioned if consideration has been given to roadway reconfiguration away from the wetland.

Mr. Gramc stated they can address that issue with review of the master plan.

Mr. Avolio stated a waiver may not then be necessary.

Mrs. Kampas, 113 Oakhaven Drive, suggested redesigning the housing to face the wetlands.

Mrs. Dishart, 121 Drake Drive, questioned timing and Mr. Trant surmised that construction could begin as early as this summer, if approvals are granted.

Mr. Avolio questioned if the parcel has been rough-graded and Mr. Trant replied that it has not.

Mrs. Marshall, 119 Oakhaven Drive, questioned when Phase IV will be completed.

Mr. Gramc stated that it will be completed as the properties are purchased.

Mrs. Marshall stated that the developer should not be permitted to begin Phase V before Phase IV is complete.

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THE VILLAGE AT PINE, PHASE V, FINAL APPROVAL (Continued)

Mr. Avolio explained that Phase V cannot be completed until Phase IV conditions are met, as that provides the necessary roadway connection to Route 910.

Mr. Kurpakus reminded that the developer is restricted to the issuance of construction permits for Phase 4A only, which have now been issued.

Mr. Gramc expressed their understanding of that requirement.

Mr. Avolio noted that the February 1, 2007 memorandum in the meeting packet provides details on the modifications.

Motion was made by Mr. Welter and seconded by Ms. Yeake-Miller to table consideration of The Village of Pine, Phase V, Final Plan Submission. The aye vote on the motion was unanimous. Motion carried.

ADJOURNMENT

Motion was made by Mr. Welter and seconded by Ms. Yeake-Miller to adjourn. The aye vote on the motion was unanimous. Motion carried.

The meeting adjourned at 9:55 p.m.