

MINUTES OF TOWNSHIP OF PINE PLANNING COMMISSION MEETING

Monday, February 9, 2015

Pine Community Center

This session of the Township of Pine Planning Commission was called to order at 7:04 p.m. by Michael Hansen, Chair.

Members in attendance were: Michael Hansen, Chair; Steve Olshavsky; Garrin Welter; Jeffrey McGeary; and John Lombardo. Also present were Larry Kurpakus, Director of Code Administration and Land Development; and John Heyl, Lennon, Smith, Souleret Engineering, Inc. (LSSE).

There were 11 visitors present.

PLEDGE OF ALLEGIANCE

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

MINUTES

Motion was made by Mr. Olshavsky and seconded by Mr. Welter to approve the minutes of the January 12, 2015 Planning Commission meeting. The aye vote on the motion was unanimous with the exception of Mr. McGeary and Mr. Lombardo who abstained as they were not in attendance at that meeting. Motion carried.

PINE AUTOMOTIVE LAND DEVELOPMENT

Mr. Kurpakus reported that Bruce Milbert with Pine Automotive Specialists is proposing the renovation of the former Wexford Volunteer Fire Company garage for use as a vehicle repair business. Vehicle repair is a Conditional Use in the TVO and C-1 districts. The project includes landscaping improvements and minor renovation of the building to meet the TVO standards. There are minor outstanding items remaining on the Township Engineer's review dated January 6, 2015.

Daniel Tobin the attorney for Mr. Milbert stated that there were questions from the last meeting concerning the additions of a cornice, glass and light fixtures in order to try to make the building more compatible with the area. He added that there were no issues with engineering, only legal issues. In reference to section 84-22-D.1.a concerning the TVO District, the applicability of design standards are for new buildings and in this case changes to the building in the amount of \$250,000, which do not apply. Mr. Hansen replied that the applicability per the Township's Solicitor is what Code defines as a vehicle service station and a vehicle repair station. The TVO District prohibits vehicle service stations. The Township Solicitor says Pine Auto's proposal is a vehicle repair station.

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES
February 9, 2015
Page 2

Mr. Kurpakus stated that the applicant has submitted two elevation drawings; the motion should include which drawing is being approved. Mr. Tobin added the first drawing with the lower centerpiece is Mr. Milbert's preference.

Kathy Vactor and her husband Dr. Raymond Vactor own Wexford Chiropractic Center located at 130 Wexford Bayne Road. Mrs. Vactor asked if the members of the Planning Commission had received their letter. She is concerned about the number of cars being parked outside overnight and that there is not sufficient parking to accommodate tow and delivery trucks. She asked if this had been discussed with the solicitor. Mr. Hansen replied that it had not, just the applicability of the TVO district. Mrs. Vactor added that parking will be an issue.

Mr. McGeary stated that according to Section 84-86.B, all vehicles awaiting repairs are subject to an active work order and are to be stored in an enclosed building. He questioned if Pine Auto would be able to store all of the vehicles. Mr. Hansen interjected that a vehicle repair station is permitted in a TVO, but it must meet all of the requirements for Conditional Use. Vehicles awaiting repairs need an active work order and to be stored in a building. If conditions are not met, it cannot be allowed. Mr. McGeary asked if the condition could be met. Mr. Tobin replied that Pine Auto will comply with the ordinance, but storage does not include dropping a vehicle off. The vehicle would be subject to an active work order, but it is not storage if the car is being kept there one or two nights.

Mr. Hansen asked if all 3 bays are taken, could a car be left to be worked on later if it could not be stored in a principal building. Mr. Tobin replied that the key word is stored and the interpretation of storage. A car can be parked and worked on later in day; it is up to the Board of Supervisors to decide.

Mr. Hansen asked Mr. Milbert if he would tell customers to come back if a bay is not available. Mr. Milbert replied that Code requires three parking spots per bay. Mr. Tobin added that terms can be negotiated under the developer's agreement.

Mr. Lombardo stated that he appreciates the lamps, garage doors and cornices, and asked Mr. Milbert if he would consider keeping the garage doors shut in summer. Mr. Hansen asked if the garage has air-conditioning. Mr. Milbert replied that there is air-conditioning and it can be used so that the doors can be kept closed.

Mr. Welter added that Section B has been covered, and that he appreciates the cornices, and other modifications and that they will fit in. He asked if the glass on the garage doors was for decoration or see-through. Mr. Milbert replied that it is normal glass; he was not told anything specific concerning the glass. Mr. Welter added that he would like tinted glass, sliders with vents for ventilation, and the incorporation of flow through ventilation so the garage doors can be shut.

Mr. Olshavsky reminded Mr. Milbert that his proposal is a Conditional Use in the TVO District.

Mr. Hansen stated that he likes the design, but it is unfortunate that Pine Auto is trying to move into such a high profile area. It is a historic area and the first thing people will see as they drive through Pine. The definition of TVO does not pair up with what Mr. Milbert wants. The Code

TOWNSHIP OF PINE PLANNING COMMISSION
MEETING MINUTES
February 9, 2015
Page 3

intended something different than what is proposed. There will be a higher level of scrutiny, and the business must operate following Code; all vehicles located on the premises and awaiting repairs shall be subject to an active work order and shall be stored in an enclosed building. Mr. Hansen stated he believes it would be difficult for Pine Auto to meet the requirement. Mr. Tobin replied that it fits in with what the Township is looking for as outlined in the 9 points of Section 84.22.A. In addition, it will be a tax paying property with a complementary use.

Motion was made by Mr. Welter and seconded by Mr. Lombardo to recommend the Board of Supervisors grant conditional use approval to Pine Automotive Specialists. The aye vote on the motion was unanimous with the exception of Mr. Hansen who was opposed. Motion carried.

Motion was made by Mr. Welter and seconded by Mr. McGeary to recommend the Board of Supervisors grant preliminary and final approval of the Pine Automotive Land Development plan drawings Cover, C101, C102, C103, C601, and L101 dated December 19, 2014 and prepared by Trant Corporation with the following conditions:

1. Compliance with the LSSE review letter dated 1/6/15
2. Existing security lighting to be removed or replaced with code compliant fixtures
3. Existing rooftop HVAC unit to be removed or screened with code compliant materials
4. Subject to the conditional use approval
5. Building façade to include the architectural detail shown on sheet A-1A dated 1/16/15 prepared by Paul Slowik & Associates
6. Preparation of a standard Township Developer's agreement
7. No outside storage of tires, vehicle parts or accessories
8. Vehicles parked for repair shall not exceed 5 days and limited to parking stalls shown on the plan
9. Air-conditioning of the garage and vents in the garage doors so that the doors can remain closed in the summer
10. Tinting of the garage doors glass
11. Monthly inspections to be made by the Township's Code Department to confirm compliance with Conditional Use criteria

The aye vote on the motion was unanimous with the exception of Mr. Hansen who was opposed. Motion carried.

GILSON PLAN

Mr. Kurpakus reported that Eileen Gilson owns property at 192 Logan Road and is proposing a 2 lot subdivision. The existing dwelling will be located on lot 2 and will be served by an existing driveway with a proposed 26' driveway easement across lot 1. Additionally, lot 2 will gain frontage to Summer Place with the consolidation of Parcel "A" from the Langdon Farms Plan to lot 2. There are no outstanding items remaining from the LSSE review dated 1/6/15.

Dub Reinhardt of Trant Corporation, the project engineer, stated that a sidewalk was discussed at last month's meeting and that Mrs. Gilson prefers not to construct the sidewalk at this time. Mr. McGeary asked Mrs. Gilson if the sidewalk was a condition of approval, would she consider constructing it. Mrs. Gilson replied that she would.

Mrs. Gilson added that she has lived in her home for 30 years and can no longer upkeep the house and 3 acres. She would like to build a smaller more modest home for herself.

Mr. Hansen asked Mrs. Gilson if having the driveway from lot 2 going through lot 1 would bother her. Mrs. Gilson replied that it would not bother her; she would use it also and it would be on the edge of her property.

Mr. Welter wondered what would happen after the new home is built on lot 1. Would lot 2 be sold, and if so, would the driveway be left as it is. Also, what address would be given to the new home. Mr. Kurpakus replied that the address would not be an issue. The challenge would be if the existing home no longer had access to Logan Road.

Mr. Hansen asked about the construction of a sidewalk. Mrs. Gilson replied that she has owned the additional parcel for a little over a year. The previous owner, the developer, was not required to have a sidewalk along Summer Place. Mr. Kurpakus replied that sidewalks along Summer Place, south and north of Mrs. Gilson's property are to be completed.

Mr. Hansen asked Mr. Kurpakus if the Township could share the cost of the construction of the sidewalk. Mr. Kurpakus replied that he was not able to answer Mr. Hansen's question at tonight's meeting.

Motion was made by Mr. McGeary and seconded by Mr. Welter to recommend the Board of Supervisors grant preliminary and final approval of the Gilson Plan of Lots drawing 1 of 1 dated December 19, 2014 and prepared by Trant Corporation with the following conditions:

1. Future home construction on Lot #1 to include sidewalk construction along Summer Place with a note to be included on the recording plan

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

BRADFORD DRIVE PARKING FACILITY LAND DEVELOPMENT PLAN

Mr. Kurpakus reported that Michael Joseph Development Corporation is proposing the construction of a 37 space free standing parking facility at the corner of Swinderman Road and Bradford Drive to serve the commercial building located at 12570 Perry Highway. The project includes stormwater management, landscaping and pedestrian improvements. The existing parcel is approximately 16,100 square feet in area. The purpose of the plan is to provide dedicated employee parking for the commercial building adjacent to the property. There are minor outstanding items remaining on the LSSE review dated 2/2/15.

Brandon Wiltout an engineer with Gibson-Thomas replied that there will be no issues in complying with the Township Engineer's letter.

Mr. Lombardo asked Mr. Wiltout if only two lights would be installed. Mr. Wiltout replied that there would be two lights; one by the entrance and one by the daycare. There is also a public street light nearby. Mr. Lombardo added that for safety, it would be nice to have additional lighting out front.

Mr. Hansen added that the height of the hedge row would be increased. He also commented on the sidewalk near the parking area on Bradford Drive. Mr. Kurpakus replied that the sidewalk varies in width due to previous developments.

Mr. Lombardo asked if it is possible to install a pedestrian crossing sign as there is no formal crosswalk. Mr. Kurpakus replied that crosswalks can be installed during future improvements on Nicolas Drive.

Mr. Welter added that pedestrian improvements need to be made to connect to Cloverdale Estates. Mr. Kurpakus replied that the developer would incorporate missing pieces of sidewalk under a separate development.

Motion was made by Mr. Welter and seconded by Mr. McGeary to recommend the Board of Supervisors grant preliminary and final approval of the Pine Bradford Drive parking facility plan drawings Cover, EX-1, LD-1, LP-1, SP-1, ESC-1, SWM-1 and SWM-2 dated January 16, 2015 and prepared by Gibson Thomas Engineering with the following condition:

1. Compliance with the LSSE Review letter dated 2/2/15
2. A photometric study is to be done to meet the criteria for additional lighting
3. Pedestrian improvements to be coordinated with the Township to provide connection to Cloverdale Estates and crosswalks on Nicolas Drive.

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

WOODSIDE ESTATES PHASE 1 – REVISION 1 SUB-DIVISION

Mr. Kurpakus reported that Adam and April Anderson own property at 730 Franklin Road and are proposing a lot line modification to address a set-back encroachment of a private swimming pool. No additional lots or modifications are proposed for Woodside Estates Phase I. There are minor outstanding items remaining from the LSSE review dated 2/2/15 that will be included on the final recording plan.

James Sperdute, the surveyor for the project, added that the parties have reached an agreement to avoid removing the swimming pool.

Motion was made by Mr. McGeary and seconded by Mr. Welter to recommend the Board of Supervisors grant preliminary and final approval of the Woodside Estates Phase 1 – Revision 1 plan drawing 1004-1413510 dated March 14, 2014 and revised January 16, 2015 and prepared by Sperdute Land Surveying with the following condition:

1. Compliance with the LSSE Review letter dated 2/2/15

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

VILLAGE AT PINE LOT 414 REVISED SUBDIVISION

Mr. Kurpakus reported that NVR, Inc. has submitted a request to modify the individual lots lines for building 414 (3 units) within the Village at Pine. The proposed modification will align the lot lines with the constructed foundation walls of the townhomes. No additional lots or modifications are proposed for the Village at Pine. There are no outstanding items remaining from the LSSE review dated 1/28/15.

Motion was made by Mr. Lombardo and seconded by Mr. Welter to recommend the Board of Supervisors grant preliminary and final approval of the Village at Pine Lot 414 revised plan drawing 0128-1414558 dated December 24, 2014 and prepared by Sperdute Land Surveying. The aye vote on the motion was unanimous. Motion carried.

ADJOURNMENT

Motion was made by Mr. Lombardo and seconded by Mr. Welter to adjourn the meeting. The aye vote on the motion was unanimous. Motion carried. The meeting adjourned at 7:51 p.m.