

MINUTES OF TOWNSHIP OF PINE PLANNING COMMISSION MEETING

Monday, October 12, 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; Joel Dennison, Vice-Chair; Garrin Welter; Steve Olshavsky; John Lombardo; and Renee Evans. Also present were Larry Kurpakus, Director of Code Administration and Land Development; and John Heyl, Lennon, Smith, Souleret Engineering, Inc. (LSSE).

There were 24 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. Lombardo to approve the minutes of the September 14, 2015 Planning Commission meeting as distributed. Mr. Welter offered a correction to page 3, paragraph 6 of the minutes to add "in the past" for the sentence to read "He walked the site months back and believes that there has been serious wetland encroachment in the past." Motion was amended by Mr. Lombardo and seconded by Mr. Olshavsky to approve the corrected minutes of the September 14, 2015 Planning Commission meeting. The aye vote on the motion was unanimous with the exception of Mr. Dennison who abstained as he was not in attendance at that meeting. Motion carried.

WHITETAIL CROSSING SUBDIVISION

Mr. Kurpakus reported that the applicant, Dave Tessmer, has applied for a 13 lot residential standard subdivision on a 21.39 acres parcel located at 220 Pinkerton Road. Mr. Tessmer is proposing a new Township cul-de-sac street to serve 8 lots with an additional 5 lots fronting Pinkerton Road. The existing home and accessory structures will be removed during development. Single Family Residential is a permitted use in the R-1/S-1 Zoning districts. The project includes stormwater management, landscaping and pedestrian improvements. The application was tabled at the September Planning Commission meeting to allow the applicant to address outstanding comments.

The application includes one waiver request to allow 2:1 slopes on lots 9 & 10 to limit disturbance of the existing slope and woodland areas. The EAC recommended approval of the developer's mitigation plan with an additional payment in lieu of planting for 71 trees not accounted for in the landscaping plan. The Parks and Recreation recommendation includes a payment of \$13,000 in lieu of construction of the play structure and additional pedestrian improvements that have been shown on the revised drawings. A handout from John and Maryellen Harpur of 601 Trillium Court is to be made part of the packet.

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Mike Rahenkamp of Tait Engineering, Inc., the applicant engineer stated that there are eleven one acre parcels and two 4-5 acre parcels. Changes have been made based on the comments received from the planning commission and neighbors of the proposed plan. The concern about the turning radius of the cul-de-sac was addressed by making the center planter smaller, and increasing the radius to 28', up from the standard 24', which will give a fire truck a greater turning radius. Grading has been moved to a minimum of 10' from the southern border line and a 10' buffer along the property line has been added. Neighbors had concerns about the amount of trees; the number of trees has been increased, another row of trees has been added, this will double the amount of trees per the landscaping plan; the landscaping plan also shows the existing mature established trees that will remain.

Mr. Rahenkamp stated that they have addressed the engineering concerns; there are still some outstanding items from the township engineer's response. In addition, Parks & Recreation has recommended a trail to connect the sidewalk from the subdivision across township property to Woodland Farms. The EAC did a site walk and found some dead trees and made some new calculations for the fee in lieu; or the covenants may have future property owners plant trees as planting too many street trees will lead to overcrowding. He added that overall the layout is similar to what was presented last month.

Mr. Hansen stated that the planning commission had received the letter from Mr. and Mrs. Harpur.

John Harpur of 601 Trillium Court stated that he would like to elaborate on the letter he presented to the planning commission. His home is on lot #19 of Woodland Farms, next to lot #1 in the proposed subdivision. He does not want an imposing house in his backyard. He would like to maintain the harmonious layout of the township and the ambiance characterized by wooded views outside of the majority of homes in the township. In addition, there are 35 instances of sensitive and smart planners who have left empty lots near intersections. Mr. Harpur stated that he urgently proposes that lot #1 be devoted to tree planting and green space, and he is not sure if a second level of trees is a "hefty buffer". He also stated the he would like the new development to be considered as part of Woodland Farms, no sign for Whitetail Crossing, the neighborhoods should blend together. He also stated that the new neighborhood will affect value of the homes in Woodland Farms, in comparison to other homes in the Pine and Mars areas.

Gregory Kaminsky of 609 Trillium Court stated that he endorses what Mr. Harpur said, and heavy buffering is needed to block views of the back yards of existing and proposed houses.

Mr. Olshavsky stated that additional trees should be planted to buffer lots 1, 12, 11 and 13.

Mr. Welter stated that he will stay consistent with his comments from the last meeting. Lot 1 is not an upscale lot and is not in character with upscale homes, it could have been better prepared. Lots 1 and 2 could be consolidated into one large lot, or the plan could be reconfigured, by shifting it north. He cannot support the subdivision largely because of lot 1.

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Mr. Dennison asked what other options were considered for lot 1. Mr. Rahenkamp replied the trees to remain on lot 1 have been counted and there are substantially more trees on that lot than any other lot in the township. The landscaping plan shows the remaining trees and the trees to be planted. Planting more trees will prohibit lot 1 from having any lawn space. This design meets Code most closely and does not require modifications. Each lot will preserve trees, there will be no clear cutting; homeowners will decide which trees to keep.

Mr. Dennison stated that his concern is the south buffer. Mr. Rahenkamp replied that they are trying to create sellable parcels that meet Township Code. Mr. Dennison stated that he agrees that they have met the Code requirements, and the situation concerning lot layout is not unique, but it is not common either. Mr. Rahenkamp replied that they did what they could; and would consider adding more trees. Mr. Dennison added that other developments use mounding as an instant barrier, trees will eventually grow and provide additional screening; mounding has been used along Dean Road.

Mr. Lombardo stated that the transition from the older neighbor to the newer neighborhood is too tight. He asked if the overhead existing utilities along Pinkerton Road will be relocated underground. Mr. Rahenkamp replied that they would be relocated.

Mr. Lombardo asked if the conservation easement could be made larger. Mr. Kurpakus replied that the easement is part of the lot and has no impact on lot size but does affect the buildable area. Mr. Hansen added that the house will be smaller because of larger easement.

Mrs. Evans stated that her concerns about lot 1 echo everyone else's; the 60' conservation easement should continue through lot 1 if possible.

Mr. Hansen stated that the EAC's trees of significance count includes an arbitrary reduction based on the developer's conservation easement; it's arbitrary and has no basis in Code. He wants the tree inventory to stay at 92, not 71, make the conservation easement as large as possible and add another row of trees. He added that the subdivision meets Code, the planning commission will do what they can to recommend improvements, but there's only so much they can do.

Mr. Welter stated that the homes will be priced between \$600,000 and \$900,000. The lots have not been designed for this type of home. The subdivision meets Code, but the planning commission is offering suggestions to make it palatable for everyone. He would like to see 12 lots not 13, have the home on lot 1 face the new street, and make all of the lots bigger. He added that he thinks this an instance of getting as many lots as possible and still meet Code.

Mr. Dennison asked if lots 1 and 2 could face the other direction. Mr. Rahenkamp replied that it is possible. Mr. Dennison and Mr. Lombardo added the easement would block backyard views of the new and existing homes. Mr. Hansen asked if the lots could be reconfigured to address their comments. Mr. Rahenkamp replied that this may not work because of the rear setback and the conservation easement.

Mr. Rahenkamp stated that the plan was designed to complete Pinkerton Road, a mirrored image is across street, the new houses will fit in with the character of the existing neighborhood, and they would like to keep the subdivision as it is. Mr. Kaminsky added that lots 1 and 2 could be combined and the new lot could face the new road.

Motion was made by Mr. Dennison and seconded by Mr. Olshavsky to recommend the Board of Supervisors grant preliminary and final approval of the Whitetail Crossing Plan of Lots plan drawings Cover, 1 of 2, 2 of 2, 1 of 14, 2 of 14, 3 of 14, 4 of 14, 5 of 14, 6 of 14, 7 of 14, 8 of 14, 11 of 14, 12 of 14, 13 of 14, and 14 of 14 dated 8/21/15 and revised 10/2/15 and prepared by Tait Engineering, Inc. and 9 of 14 and 10 of 14 dated 8/21/5 and prepared by Tait Engineering, Inc. with the following conditions:

1. Compliance with the LSSE review letter dated 10/12/15
2. Compliance with the Parks and Recreation recommendation dated 9/8/15
3. Compliance with the EAC recommendation dated 10/5/15 with exception of the additional 10% reduction. The total number of additional trees to be mitigated is 92 trees.
4. Developer to connect the streetwalk along Pinkerton Road with the existing streetwalk to the North and South of the Development as shown on the submitted drawings
5. Sanitary Sewer Authority approval required prior to development of the site
6. Preparation of a standard Township developers agreement
7. Existing overhead utilities be removed and replaced underground
8. A 25' conservation easement is to be provided along the south property line of lot #1 with additional landscaping and alternative measures to provide enhanced buffering to the Woodland Farms lots 16, 17, 18 and 19.

Mr. Hansen, Mr. Dennison, Mr. Olshavsky and Mrs. Evans voted aye, and Mr. Lombardo and Mr. Welter voted nay. Motion carried.

Motion was made by Mr. Dennison and seconded by Mrs. Evans to recommend the Board of Supervisors grant a waiver of section 48-16 A. of Township Code to allow 2:1 slopes as shown on the application drawings to limit woodland disturbance. Mr. Hansen, Mr. Dennison, Mr. Olshavsky and Mrs. Evans voted aye, and Mr. Lombardo and Mr. Welter abstained. Motion carried.

BROOKFIELD ESTATES CONDITIONAL USE AND SUBDIVISION

Mr. Kurpakus reported that Eddy Land Company is proposing a 33 lot residential patio home development on two parcels totaling 11.63 acres located along Swinderman Road. The number of lots was reduced from 34 to 33 to address the planning commission's wetland buffer comment. A new Township cul-de-sac street is proposed to serve 26 lots with an additional 7 lots fronting Swinderman Road and accessed from a private access alley. Patio Home development is a conditional use in the C-2 Zoning District. The Planning Commission recommended conditional use approval at the September 14th meeting and tabled the subdivision application. The project includes stormwater management, landscaping, and pedestrian improvements. The developer is also proposing extension of the streetwalk to connect to the existing streetwalk at Wallace Road to meet the Parks and Recreation requirements.

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The application includes three modification requests. The first is a request to allow a 2:1 slope in specified areas to limit disturbance of the existing wetlands and preserve woodlands. The second request is to allow disturbance within 50' of an existing wetland for the construction of the stormwater management pond, utility line installation and road right-of-way and lot grading near lots 7 and 8. A new modification request since the last meeting is to allow front entry facing garages on 11 units.

The EAC recommends the developer mitigate 64 trees on site and denied the request to encroach the wetland setback on the former lots 6, 8, and 10. The Parks and Recreation Commission has recommended approval of the parks and recreation plan.

John Schleicher of Gibson-Thomas Engineering, the applicant engineer stated the new proposal is for 33 patio home units on 11 acres, less than half of the permitted density; the wetland setback of 50' will be recorded, the width of the driveway will be increased to 24', and off-street parking areas at each end of the plan and three interior parking areas having a total of 12 parking spaces have been added. Mr. Hansen replied that he appreciates the efforts, but Township Code says they cannot disturb within 50' of the wetlands, he will not give waivers to Code so that lots can be added and he does not want to set precedence. Mr. Schleicher replied that this will be a good precedence; it is a good use for the C-2 transition district, they will avoid wetland areas, and the road will cross only at one place on the site. This is responsible development and good use and design.

Mr. Lombardo stated that the garage doors of the patio homes should not face the road, and lots 7 and 8 encroach on the wetland. Mr. Hansen added that the road also encroaches.

Mr. Hansen and Mr. Lombardo stated that they disagree with the EAC report. Mr. Dennison stated that the EAC letter was written using the old lot designation numbers, and it is difficult to marry the two. Mr. Schleicher added that the EAC's concern is constructing homes in the wetland setback. They are not as concerned about grading and stormwater facilities in the wetland setback.

Troy Baer of 207 Briar Hill Court stated that the lots are into the 50' wetland setbacks, and it is important not to develop the wetlands as they stop flooding. The developer knows that the land is undevelopable if he cannot encroach on the wetlands. Mr. Baer added that developing this land will affect the value of his home and the transition from the commercial corridor to the residential area. He has contacted the DEP and no permits have been issued for the site. He added that before land is developed; including grubbing and mulching, neighbors should be notified. He believes that this is a deliberate plan to blight the property. The wetlands have been encroached severely, and an investigation is being done by Allegheny County Conservation District. He added that the plan's entrance is on a "S" curve and will be dangerous.

Donald Bryant of 211 Briar Hill Court stated that he is surprised at what the area looks like from his backyard. His young children have remarked that it looks like it has been stripped. He agrees with Mr. Baer about the "S" curve, and that it will become a problem area. Mr. Schleicher replied that the land was mowed by the current property owner for surveying and the tree survey, appropriate codes were followed. He added that they have a waiting list of existing township residents who would like to downsize to the community.

Motion was made by Mr. Hansen and seconded by Mr. Lombardo to recommend the Board of Supervisors deny granting a waiver of section 48-16 A. of Township Code to allow 2:1 slopes as shown on the application drawings to limit woodland disturbance and enhance the wetland buffer. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Hansen and seconded by Mr. Welter to recommend the Board of Supervisors deny granting a waiver of section 78-49 C. of Township Code to allow disturbance within 50' of the wetland. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Hansen and seconded by Mr. Welter to recommend the Board of Supervisors deny granting a modification of section 84-74 E. to allow all of the patio home units to be served by a street facing garage. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Hansen and seconded by Mr. Welter to recommend the Board of Supervisors deny granting preliminary and final subdivision approval of the Brookfield Estates plan. The aye vote on the motion was unanimous. Motion carried.

ALDERWOOD PHASE 4 FINAL PRD

Mr. Kurpakus reported that the Alderwood PRD received tentative approval on July 18, 2006. Phase 1 of the development was approved in 2007 and is currently developed. The developer is requesting final approval of Phase 4 as the next phase of development. Phases 2, 3 and 5 will be developed at a later date. There are minor outstanding items noted on the LSSE review letter dated October 5, 2015.

Jonathan Garczewski of Gateway Engineers stated that this is a continuation of the master plan approved in 2005; Phase 4 will have 32 residential lots. They are working out of order because of earthmoving activities. In addition, the NPDES permit is current; and they have the LSSE comments and will resubmit this week.

Mr. Dennison commented on the Phase 4 sidewalk connection. Mr. Garczewski replied that sidewalks from Alder Drive to Balsa Drive will be added to plan.

Mr. Hansen and Mr. Kurpakus stated that they are concerned about how the grading at intersection of Pearce Mill Road will affect sight distances. Mr. Garczewski replied that it had been approved in 2005 by PennDOT, but they will look at it again to appease the township.

Mr. Hansen asked about the bollard system being used near Ivy Drive. Mr. Garczewski replied that he will speak to Maronda Homes. Mr. Kurpakus added that the township has approved drawings for the emergency access.

Motion was made by Mr. Welter and seconded by Mr. Olshavsky to recommend the Board of Supervisors grant final approval of the Alderwood Phase 4 Final PRD plan drawings C000, C051, C052, C053, C101, C102, C103, C104, C501, C502, C503, C601, C602, C603, C604, L101, L102, L103, L601, and 3 pages of recording plan dated 9/18/15 and prepared by Gateway Engineers with the following conditions:

1. Compliance with the LSSE review letter dated October 5, 2015
2. Compliance with all conditions of the Tentative Approval dated July 18, 2006
3. Preparation of a Township Developer's Agreement
4. Revisit and improve the sight lines at the intersection of Pearce Mill Road

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

SUNSET RIDGE PRD

Mr. Kurpakus reported that Riviera Land Partners, L.P. is proposing a 47 lot Planned Residential Development 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 application includes four modification requests: grading within 50' of a wetland, waivers of perimeter bufferyard planting requirement 80', sidewalk construction along public streets, and 50' access to common open space. There are numerous outstanding items noted on the LSSE review letter. There are no outstanding comments from the Township Engineer' traffic review and no additional traffic improvements are required. The EAC recommends approval of the plan with comment. The Parks and Recreation Commission has reviewed the application and recommends payment in lieu of construction of a play structure, easement dedication for future trail along Pearce Mill Road and consideration of extension of a water line to serve the Pine Community Park.

Mr. Hansen stated that it is highly likely that this subdivision will be tabled to allow the developer to address a number of engineering issues.

Marty Gillespie of Riviera Land Partners, L.P. stated that he has met with township staff, and the plan has been tailored to the staff's comments. He has received feedback from the EAC and Parks & Recreation. Riviera will be purchasing land from two owners John Morelli who owns the property along Pearce Mill Road, and the Greek Catholic Church. There will also be a land swap with the Morellis. The land is typical Pittsburgh property, it is not flat, and has slopes and valleys. There will be 47 total lots, 46 lots and one estate lot with 2 to 2.5 acres. The large lot will not be graded, the new owner can make the driveway cut and clear the trees as they want. There will be low side lots and high side lots, slopes and buffers, and 2 ponds. One of the cul-de-sacs has a 50 right-a-way to Richard Kwiatkowski's property for future development. A walking trail will connect to the future township trail, there will be 6 trees per lot, natural slopes will be re-vegetated with trees and bushes, and this will be consistent through plan. The neighborhood will be similar to Stonecrest and Pinecrest. The homes will be priced between \$600,000 and \$800,000.

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Richard Kwiatkowski of 540 Pearce Mill Road stated that his major concern is that the boundary line for his property was taken from a survey prepared in 1979. The survey shows the line as 10 degrees different than the proposed plan. Has talked to Riviera and their plan is based on a survey from 1989. Mr. Kwiatkowski is an engineer and has found mistakes on that survey. He questions the proposed boundary and has contacted an attorney. Mr. Gillespie replied that his attorney will contact Mr. Kwiatkowski's attorney to make sure the property line is correct.

Mr. Dennison asked if there will be interconnection to the north. Mr. Gillespie replied that it will not interconnect to the Morelli property. Mr. Morelli will have access points onto Pearce Mill, and topography limits a connection point without significant grading. A sewer easement has been provided in case of future development of the Morelli property.

Mr. Dennison stated that the plan for tree mitigation in the narrative is confusing and inconsistent. Mr. Gillespie replied that it would be corrected.

Mr. Lombardo asked Mr. Gillespie to describe the land swap with Mr. Morelli. Mr. Gillespie explained that Mr. Morelli owns frontage on Pearce Mill Road, Riviera will purchase land and give Mr. Morelli the land behind it. Mr. Morelli will consolidate lots to take care of the landlocked parcel.

Mr. Lombardo and Mr. Hansen stated that Mr. Morelli needs access from the cul-de-sac for future development. Mr. Gillespie replied that based on the topography there will significant disturbance if the cul-de-sac is connected to Mr. Morelli's property. Mr. Gillespie added that if Mr. Morelli develops his property it's most likely a low number of lots.

Mr. Lombardo asked if the location of the pond near the road was determined by topography. Mr. Gillespie replied that topography and accessibility are factors. Mr. Kurpakus agreed that accessibility is important.

Mr. Hansen stated that the EAC did not address the woodlands. No more than 60% of woodlands can be cleared, per section 78-48 of the Code. Mr. Gillespie replied that it will be under that amount and will double check the plan

Mr. Hansen called attention to the comments concerning the cul-de-sac and groundwater contamination concerns in the engineer's letter. Mr. Gillespie replied that Pinecrest had contamination in ponds when the property was developed, rock strata had been exposed and when it rained it ran down the hill into the ponds. Mr. Hansen asked if it was caused by natural causes. Mr. Gillespie replied that it had been and CEC has been hired to avoid the same situation; the DEP has also made them aware of the situation.

Mr. Kwiatkowski stated that he has a well and septic. Mr. Kurpakus replied that predevelopment well testing will be performed by the developer as a condition of the developer's agreement.

Motion was made by Mr. Lombardo and seconded by Mr. Welter to table the subdivision application. The aye vote on the motion was unanimous. Motion carried.

PINE CREEK SUBDIVISION #1

Mr. Kurpakus reported that Cavalier Land Partners, L.P. is proposing the consolidation of two parcels and the creation of 2 new parcels and associated easements for the purpose of a future residential land development. There are only minor outstanding items from the LSSE review.

Grant Shiring of PVE Sheffler, Inc., the applicant engineer stated that the subdivision is located across from the high school on 85 acres. The plan is to have two parcels, one having 44 acres and the other having 40 acres. Mr. Shiring added that all of the engineer's comments have been addressed.

Marty Gillespie of Cavalier Land Partners, L.P. stated that the future development of this R-3 zoned property will have a true classic mixed use. There will be craftsman style houses, townhomes, a pool a clubhouse, and trails. There will be 250-260 traditional, classic homes when the project is finished. It will differ from the large homes that have been built in Pine over the past 10 years. The layout will be based on the two plateaus on the property; all activity will be in flat areas.

Mr. Lombardo asked if both parcels will be developed. Mr. Gillespie replied that they will eventually develop the whole property; the project will last 5-6 years.

Motion was made by Mr. Dennison and seconded by Mr. Welter to recommend the Board of Supervisors grant final subdivision approval of the Pine Creek Subdivision #1 plan drawings C-100 and C-101 dated 9/18/15 and prepared by PVE Sheffler with the following condition:

1. Compliance with the LSSE review letter dated October 5, 2015.

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

ADJOURNMENT

Motion was made by Mr. Welter and seconded by Mr. Olshavsky to adjourn the meeting. The aye vote on the motion was unanimous. Motion carried. The meeting adjourned at 8:46 p.m.