

MINUTES OF TOWNSHIP OF PINE PLANNING COMMISSION MEETING

Monday, May 9, 2016

Pine Community Center

This session of the Township of Pine Planning Commission was called to order at 7:06 p.m.

Members in attendance were: Michael Hansen, Chair; Joel Dennison, Vice Chair; Garrin Welter; Jeffrey McGeary; John Lombardo; and Rene Evans. Also present were Larry Kurpakus, Director of Code Administration and Land Development; and Bob Firek, Lennon, Smith, Souleret Engineering, Inc. (LSSE).

There were 16 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. Welter and seconded by Mr. Lombardo to approve the minutes of the March 14, 2016 Planning Commission meeting with modifications. The aye vote on the motion was unanimous with the exception of Mr. Dennison and Mrs. Evans who abstained as they were not in attendance at that meeting. Motion carried.

Motion was made by Mr. Lombardo and seconded by Mr. Welter to approve the minutes of the April 11, 2016 Planning Commission meeting. The aye vote on the motion was unanimous. Motion carried.

MAPLE ROW LAND DEVELOPMENT

Mr. Kurpakus reported Gigliotti Holdings is proposing the construction of a 5,700 square foot mixed use commercial building with additional parking and stormwater management at 11360 Perry Highway. The building size was reduced following the April planning meeting to address comments related to the required bufferyards. The site currently has an existing 5000 square foot commercial office building used by the UPMC Urgent Care. The site is accessed from two existing curb cuts serving the property as well as cross access from the property to the south. The proposed use of the building has been reviewed as mixed office and retail uses. There are minor outstanding items noted on the LSSE review letter dated 5/9/16.

The applicant engineer, Donald Trant of Trant Corporation stated the buffer width has been adjusted to 30', and the size of the building has been reduced from 6,480 sq. ft. to 5,700 sq. ft. The buffers on three sides have been enhanced and an architectural rendering has been submitted. Building materials have not been selected at this time.

Christopher Eyerman, 140 Brown Road stated he had nothing to add to his comments from the last meeting and is pleased the developer has responded to his comments. Mr. Eyerman added he expects the developer will follow the regulations per Code.

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Timothy Sauers, 124 Brown Road stated he owns and resides at the commercially zoned property next door. Mr. Sauers questioned the buffer zone, trees being planted on the slope and the traffic flow. Mr. Trant showed how traffic will enter and exit the property. Mr. Sauers stated many motorists use Brown Road to get to the Starbucks. Mr. Hansen asked where Mr. Sauers' property is located and if he resides there. Mr. Sauers replied he does live there and is concerned about more traffic and light from the new building. Mr. Trant stated the buffer between the commercial property and Mr. Sauers' residential use property is 30'.

Mrs. Evans asked about traffic flow. Mr. Trant showed how traffic will enter and exit. Mrs. Evans stated there is only one true entrance near the Starbucks and it will be difficult to bring traffic in.

Mr. Lombardo stated one of the issues is that both properties are owned by the same owner today, and in the future if they were separately owned, Starbucks could stop traffic from coming through their property. Mr. Trant replied Township staff requires a recorded cross access agreement.

Mr. Dennison stated there are four curb cuts and only the one farthest from the building can be used. It will be confusing for first time visitors. Mr. Trant replied signage could be altered for clarification and there have been discussions to create a throughway between the properties near Route 19. Mr. Dennison replied Starbucks would lose parking spaces if a throughway was created. Mr. Dennison asked if the cross access easement will include the Baierl property. Mr. Trant replied he assumes it already exists. Mr. Dennison asked Mr. Kurpakus if the agreement with Baierl exists and Mr. Kurpakus replied it may have been part of a recording plan or as a separate recorded document. It was a condition of approval for the Kia building.

Mr. Welter asked Mr. Trant to elaborate on the possible throughway, and asked if the curb cut could still be used. Mr. Trant explained the landscape island could be eliminated for the throughway. Mr. Welter replied it would have to be re-configured, and he is concerned about the traffic flow. Hundreds of cars per day visit the Starbucks and the flow through would be terrible. Mr. Welter added exiting would be possible, but entering will be very difficult due to angled parking and stacking. Mr. Welter asked if the intention is to enter at Starbucks and Mr. Trant replied that is the intention. Mr. Welter asked if the parking spaces will remain. Mr. Trant replied they would remain. Mr. Welter asked if Mr. Trant considered reconfiguring the parking and drive aisle. Mr. Trant replied there is not enough room. Mr. Trant added the landscaping islands are to create delineations between parking and the drive aisle. Mr. Welter stated he shares Mr. Lombardo's concern of more than one owner.

Mr. Hansen stated the traffic flow plan is not suitable, and asked Mr. Kurpakus if something is in place to prevent Baierl from posting "no thru traffic" signs. Mr. Kurpakus replied the plans and agreements can be reviewed. Mr. Hansen stated he would like to check the documents before making a decision. He added if the building was used as office space the traffic flow may be ok, but if retail is added it will be very confusing.

Mr. Welter stated he was at the site today and there is a stacking issue and asked Mr. Trant if the dumpster or hillside will be reconfigured. Mr. Trant replied they would not be. Mr. Hansen asked if the plan could be tabled. Mr. Kurpakus replied it would need to be extended to be tabled.

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Motion was made by Mr. Welter and seconded by Mr. Lombardo to recommend the Board of Supervisors deny approval of the Maple Row land development plan. The aye vote on the motion was unanimous. Motion carried.

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 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. Townhome and single family dwellings are a permitted use for the R-3 district. The proposed patio homes required conditional use approval subject to section 84-74 of Township Code. There are minor outstanding items noted on the LSSE review letter dated May 6, 2016 and the HRG review letter dated May 6, 2016.

Marty Gillespie of Cavalier Land Partners, L.P. stated a couple of changes have been made based on comments made by the residents at the last meeting. The walking trail has been changed by reconfiguring the loop to stop 330' short of the property line and a buffer has been added along the perimeter of the plan. Mr. Gillespie stated they will work with the EAC and Parks and Recreation on the walking trail, clubhouse and pool. Mr. Hansen asked if the EAC has done a site walk and Mr. Kurpakus replied the EAC is in the process of scheduling one.

Jack Donahue, 548 Macleod Drive stated he is concerned about the density of the proposed development and the impact on the stream. The development will have a devastating effect on the stream and the lake. In addition, chemicals and fertilizers will impact the lake and the wildlife. Mr. Donahue added this is concerning to every resident in Lake Macleod.

Sandeep Sharma, 533 Macleod Drive commented on the density of the development and the impact it will have on the property values in Treesdale and Lake Macleod. He added the roads are already backed up with traffic, and cutting down trees will increase the runoff down to the creek and the lake. Dr. Sharma stated there are already issues maintaining sediment in the lake. In addition the natural state will be affected by light and noise pollution. Dr. Sharma stated he loved the natural state and quietness, and the area is moving in the wrong direction.

Jonathan Iams, 546 Macleod Drive stated he is concerned about the hillside next to Lake Macleod and where the water runoff will be. Mr. Iams added even with detention ponds and erosion and sediment control he doesn't see how they will not get sediment. Mr. Gillespie showed the grading plan and replied the stormwater management will adhere to the new standards required by the Township and DEP regulations.

Grant Shiring of PVE Sheffler, Inc., the applicant engineer stated stormwater will be maintained with three facilities. Mr. Shiring explained the water must meet water quality requirements, and will be filtered with soil and trees. He explained stormwater facilities are sized to meet pre-development rates and during construction the ponds will be sediment traps for E&S control.

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Mr. Gillespie stated the side next to Lake Macleod will not be touched during phase 1 and will be reviewed by the Township engineer and the DEP. Mr. Shiring added one of the best things for E&S control is protecting trees near the detention ponds, trees will help with reducing the amount of water.

Mr. Iams stated one of the detention ponds will be near a creek bed. Mr. Shiring replied the pond will be 50' away from the creek bed. Mr. Iams stated the high school followed DEP requirements during the construction of the addition and they still had mud in the Lake Macleod pond.

Mr. Hansen stated there are two issues. One is the sediment during construction and the other is the fertilizer used in the development after construction. Mr. Hansen asked if anything above and beyond could be done to prevent this from happening. Mr. Gillespie replied the regulations are stringent enough, and the Township engineer and DEP rules will be followed. Mr. Gillespie added there will be no high side lots that can increase runoff.

Mr. Iams stated no matter what is done there will be sediment, and the pond will have to be dredged, and will cost the homeowners money even if the developer follows the rules. Mr. Iams added he wants it addressed now so it will not be a financial burden for Lake Macleod residents in the future.

Jeffrey Romano, 543 Macleod Drive stated there were E&S controls in place for two years during the construction of the high school addition and there was mud in the lake. There will be mud and sediment even if the developer follows the laws. Mr. Romano stated their detention pond is overburdened with sediment and a gas line runs under the pond. Mr. Romano stated it is difficult to find someone to dredge the pond because of the gas line. Mr. Romano added they will be overburdened with traffic problems near the high school and Natoli's Market.

Mr. Gillespie asked when the addition to the high school was done. Mr. Kurpakus replied it was done in 2010. Mr. Gillespie stated the regulations have changed since 2010. Mr. Gillespie asked Mr. Firek if he had reviewed the plan. Mr. Firek replied that he had and based on the stormwater management report and the E&S plans it appears there should not be runoff or sediment. Mr. Gillespie added designs are more stringent today and they will be inspected by the township engineer and the Allegheny County Conservation District.

Mr. Gillespie stated the R-3 zoning could allow more density, but his plan with multiple housing types, clubhouse and pool will be a benefit to Pine. Dr. Sharma stated he understands the density could have been higher, but proposing lower density does not make it right. He added the surrounding infrastructure does not support the increase in traffic, and having only one traffic signal will be a nightmare for the area.

Stephen M. Farino, attorney representing the Lake Macleod homeowners' association asked about the ordinance concerning the slopes. Mr. Hansen replied the developer has requested a waiver allowing 2:1 slopes to limit disturbance.

Mr. Farino asked if the township engineer has reviewed PVE Sheffler's response dated 5/3/16. Mr. Firek replied they had in their letter dated 5/6/16. Mr. Farino asked if he could have a copy of the letter and Mr. Kurpakus gave him a copy of the response. Mr. Farino stated they are concerned about sediment in the pond and its economic impact. Mr. Farino added even though

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the high school complied with sediment control the lake needed to be dredged and the cost was \$65,000.

Mr. Welter asked what the potential recourse is. Mr. Kurpakus replied there is standard bonding and the township engineer will inspect the E&S controls and notify the developer to make any repairs, in addition the conservation district will inspect the site. Mr. Welter asked if a baseline of existing conditions could be determined. Mr. Firek replied there could be a way to evaluate during and post construction but Lake Macleod would have to provide pre-construction conditions. Mr. Farino stated Lake Macleod is still digging out sediment from the high school project. Mr. Welter stated it is assumed the pond was designed and built correctly, and asked how much more did the dredging cost because of gas line? Mr. Welter questioned the type of line under the lake. Mr. Iams replied it is a major gas transmission line.

Mr. Welter stated the developer is allowed to develop as allowed by Code. Mr. Welter stated the developer is not maximizing potential density and he is well within Code to do this. The planning commission's review makes sure they follow Code. Mr. Welter asked what could be done for traffic count; it is difficult to enter the high school in morning and exit in the afternoon. Mr. Welter also asked what could be done to slow down traffic. Mr. Gillespie replied traffic calming will be part of the final planning process, stop signs or speed humps could be used. Mr. Gillespie added he and the future residents do not want the development to be a cut through, either. The township wanted the connection at traffic signal and it will cost the developer more money. The developer is open to suggestions for traffic calming, details will be discussed in the final plan process.

Mr. Dennison stated the developer is doing everything the experts say they need to do. Anything that goes wrong must be between Lake Macleod and developer, the township cannot protect against potential things that may go wrong. Mr. Dennison asked if the triangle-shaped piece of property near the border with Lake Macleod had a conservation easement. Mr. Gillespie replied it is open space, and will not be disturbed. Mr. Shiring stated the buffer will be noted on plan, and stated there will be a total of 80' because there is also 40' on the Lake Macleod side. Mr. Dennison asked if there will be a conservation easement on lots to prevent the homeowners from cutting down the native vegetation. Mr. Gillespie replied the vegetation is in the open space, and on the revised plan there will be a 40' conservation easement on the lots between the Treesdale homeowners' association and Lake Macleod and will permanently remain woods on the lots near Lake Macleod.

Mr. Dennison asked where the 2 to 1 slopes would be. Mr. Gillespie showed where they would be. Mr. Farino asked if the corner near Lake Macleod will be undisturbed or re-planted. Mr. Gillespie replied it will be re-vegetated per the EAC. Mr. Donahue asked how wide the detention pond in that corner will be. Mr. Shiring replied it will be 290' long. Mr. Dennison asked about the grading to be done in the triangle-shaped area closest to Lake Macleod. Mr. Gillespie replied after checking with a soil engineer they plan to have 2 to 1 slopes to allow for less disturbance. Mr. Dennison added the waiver request for 2 to 1 slopes is to limit the disturbance area and will only be permitted if allowed by a geotechnical report. He added the waivers are given when appropriate and justified.

Mr. Farino asked if the lot owners will own the 40' buffer. Mr. Gillespie they would but they cannot disturb the trees. Mr. Iams asked what the caliper of the trees that will be planted would be. Mr. Kurpakus replied deciduous trees are 2.5" in diameter and evergreens are 5' tall.

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Mr. Lombardo stated there is a crosswalk at the intersection of Babcock Boulevard and Warrendale Road and asked if it could be attached to the sidewalk. Mr. Gillespie replied it could be attached and is a good idea since the property across the street will be commercially developed someday.

Mr. McGeary asked if additional silt socks could be used during construction to alleviate additional silt in the Lake Macleod lake. Mr. Shiring replied the water will be directed so it does not leave their property until it is clear. Mr. McGeary asked why additional silt socks will not work. Mr. Gillespie replied that he uses silt socks and they have worked really well in the past, but has not explored if more socks will be better. Mr. McGeary asked Mr. Kurpakus if he could explore alternate controls and recommend the best option.

Mr. Hansen asked if the trail system connects with the sidewalks. Mr. Gillespie replied all of the trails will connect to sidewalks. Mr. Hansen asked if the trail will connect with trails along the Red Belt. Mr. Gillespie replied they will. Mr. Hansen asked if traffic loops or circles could be used for traffic calming. Mr. Shiring replied traffic loops and circles will take up space. Mr. Hansen stated there is space off of Red Belt across from the high school and asked if a traffic circle could be put there. Mr. Hansen explained the development should be designed so it will not be a good cut through, speed bumps cannot be used but there will be stop signs at each intersection. Mr. Gillespie replied there will be a complete stop at the entrance and motorists will be entering at a park and it will not be a good cut through. Mr. Gillespie added he is open to suggestions from the Board, but believes this version is most efficient design.

Mr. Hansen asked about the trees of significance and if they intended to pay a fee in lieu. Mr. Gillespie replied it could be a combination. Mr. Hansen asked if there are active play areas. Mr. Gillespie replied there are passive play areas and active facilities proposed at the clubhouse, loops could be added for walking.

Mr. Hansen stated the developer is doing everything that is required, but he is sympathetic to the residents of Lake Macleod. Mr. Hansen asked Mr. Firek if he could look into what could be done above and beyond the requirements to minimize the impact to the lake during and after construction. Mr. Hansen stated the planning commission can make recommendations above and beyond what is required. Mr. Hansen stated approvals can be made with conditions. Mr. Firek stated he has no information confirming multiple silt socks will have an impact. Silt socks are appropriate for slope and angle and are placed where they are typically needed on a plan. Mr. Firek stated additional silt socks may not have an impact. Mr. Hansen replied additional silt socks would be used as secondary and tertiary back-up. Mr. Hansen stated requirements are stricter today, and who is to say it can't be stricter.

Mrs. Evans asked the duration of project. Mr. Gillespie replied phase 1 will take approximately 2 years and phase 2 will be developed approximately 2 years after that.

Mr. Hansen asked if bonding is for onsite or offsite failed E&S control. Mr. Firek replied the conservation district will address offsite impacts. Mr. Kurpakus stated the developer's agreement can address them, too. Mrs. Evans asked who inspects the E&S controls. Mr. Firek replied the developer meets with the DEP before work starts. Mr. Firek and Mr. Kurpakus stated the

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Allegheny County Conservation District will make random inspections and the township engineer will make regular inspections.

Mr. Donahue invited the planning commission members to walk the lake and sediment pond areas to see where they live and what they are dealing with.

John Herron, 551 Macleod Drive asked why Lake Macleod has a buffer area. Mr. Kurpakus replied Lake Macleod is a PRD which requires a separate buffer parcel per Township Code.

James Hensler, 207 MacFadden Drive asked about the status of the environmental plan. Mr. Shiring replied they are putting together packets for the DEP; they will need an NPDES permit. Mr. Hensler asked if the public can comment on the plan. Mr. Shiring replied the public cannot give comment. Mr. Hensler asked how he could obtain a copy of the plan. Mr. Shiring replied he could get a copy from the township.

Motion was made by Mr. Dennison and seconded by Mr. Welter to recommend the Board of Supervisors grant conditional use approval of the Laurel Grove patio home use. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Dennison and seconded by Mr. Welter to recommend the Board of Supervisors approve a waiver of section 78-38(B) to allow 2:1 grading to limit disturbance with the condition that additional plantings meeting Section 78-48(D) of the Code be provided on the slopes for woodland mitigation and subject to a geotechnical report. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Dennison and seconded by Mr. Welter to recommend the Board of Supervisors approve a waiver of Section 78-39(K) to allow greater than 3 residential units to be served by the two loop streets closest to Babcock Boulevard. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Dennison and seconded by Mr. Welter to recommend the Board of Supervisors grant preliminary approval of the Laurel Ridge Land Development plan drawings C-100, C-200 to C-201, C-300 to C-302, C-400, C-500 to C-503, C-600 to C-602, C-700 to C-702, C-800, C-1000 to C-1004 and C-1100 dated 3/1/8/16 and revised 5/2/16 and prepared by PVE Sheffler, Inc. with the following conditions:

1. Compliance with the LSSE review letter dated May 6, 2016
2. Compliance with the HRG review letter dated May 6, 2016
3. Compliance with conditional use approval of patio home use
4. Parks and Recreation detail to be submitted to the Parks and Recreation Committee for recommendation prior to final approval for each phase of development
5. Tree mitigation plan to be submitted to the Environmental Advisory Committee for recommendation prior to final approval for each phase of development
6. Building materials to be reviewed by Township staff for Code compliance

7. Installation of a sidewalk spur to connect the crosswalk at the intersection of Babcock Boulevard and Warrendale Road
8. Additional runoff measures to be investigated and installed per Township engineer and staff recommendation

The aye vote on the motion was unanimous. Motion carried. Mr. Kurpakus added a general note saying a public hearing will be held at the Board of Supervisors meeting on June 6, 2016 and adjainer notifications will be mailed prior to the hearing.

THE VILLAGES AT CAMP TREES PHASE 2 SUBDIVISION

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 applicant Brett Shultz, of Camp Trees Partners, L.P. stated they are requesting approval of phase 2 of Camp Trees. Mr. Shultz stated 5 lots of the 23 lots are located in Pine Township and 18 lots are in Adams Township, Butler County. Mr. Shultz showed how Tamarack Drive will continue into Adams Township. Mr. Shultz stated he agrees with the LSSE comments and they will be addressed.

Mr. Hansen asked if Adams Township will review the plan in more detail, and how many of the homes are in Adams Township. Mr. Schultz replied there will be 60 total lots in Adams Township, and 27 in Pine Township. Mr. Hansen asked how the Pine-Richland school buses will pick up the kids from the five lots in Pine Township. Mr. Schultz replied there is a wide cul-de-sac the buses can use.

Motion was made by Mr. Welter and seconded by Mr. McGeary to recommend the Board of Supervisors grant final approval of the Villages at Camp Trees Phase 2 Subdivision drawings CS-1, C051-C053, C101-C106, C130-C140, C161-C171, L101-L104, C601-C608 AND PCSM-7 dated 8/17/07 and revised 4/7/16 and prepared by Gateway Engineers and two recording plan sheets dated 4/15/16 and prepared by Gateway Engineers 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.

HEIGHTS OF NORTH PARK PHASE 6 PRD AMENDMENT

The applicant engineer, David Lucci of Victor Wetzel Associates stated this is an expansion of phase 6 and handed out copies of the most recent concept plan. Mr. Lucci stated the proposed plan is for 13 acres offered for sale by Salem Heights Church. Mr. Lucci stated the plan has 11 lots and two of the lots have existing houses. The expansion of the development is at the intersection Chapel Hill Court and Parkview Drive. Mr. Lucci stated it is a concept plan and they are here for the planning commission to review and provide comments.

Mr. Dennison stated the existing entrance is on a curve. Mr. Lucci replied it will be a PRD development, the entrance will be removed and vegetation will be planted there. Mr. Kurpakus stated the proposed plan is within a greenway district and additional landscaping will be needed. The applicant Frank Madia of Salem Land Development Company stated in order to protect as many trees as possible, trees will be removed as houses are built. The existing driveway will be used as the road as it is per township specifications.

Mr. Dennison asked where the setback line for lot 630R was located. Mr. Lucci showed the setback line, Mr. Madia added the setback is designed to protect trees and provide a buffer to the neighbors.

Mr. Lombardo stated he likes the big loop, it gives the plan character. Mr. Madia replied they chose to have the loop although they could have had an additional lot without it. Mrs. Evans agreed that she likes loop, it is better than a cul-de-sac.

Mr. Hansen asked about the existing homes. Mr. Madia replied he may tear down the 30 year old home. Mr. Madia added he built the newer home, and has offered to sell it but will probably tear it down as it is in need of extensive repair. Mr. Hansen stated the older homes will stick out compared to the newer homes. Mr. Madia added the house on lot 630R sits behind trees and is not visible from the proposed road.

Mr. Welter asked which buildings will be torn down, and Mr. Lombardo asked if they would allow the fire company to use them for training. Mr. Madia replied that dorms, a church and a house will be torn down and he would consider allowing the fire company to use them for training.

Mr. Madia asked if the road name should be changed. Mr. Kurpakus replied the proposed road should have a different name than Chapel Hill so there is no conflict with the existing street name.

ADJOURNMENT

Motion was made by Mr. Welter and seconded by Mr. Dennison to adjourn the meeting. The aye vote on the motion was unanimous. Motion carried. The meeting adjourned at 8:54 p.m.