

## MINUTES OF TOWNSHIP OF PINE PLANNING COMMISSION MEETING

Monday, November 14, 2016

Pine Community Center

This session of the Township of Pine Planning Commission was called to order at 7:06 p.m. by Michael Hansen, Chair.

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

There were approximately 35 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 and seconded by Mr. Welter to approve the minutes of the October 10, 2016 Planning Commission meeting. The aye vote on the motion was unanimous with the exception of Mr. Hansen and Mr. McGeary who abstained as they were not in attendance at that meeting. Motion carried.

### CHICK-FIL-A SUBDIVISION & PRELIMINARY AND FINAL LAND DEVELOPMENT

Mr. Kurpakus reported Chick-fil-A, Inc. is proposing the construction of a 5,651 square foot fast food restaurant with a drive through. The proposed location is part of the existing Northway Christian Community Church parcel. The application includes a subdivision request as well as the required land development improvements. These include parking, landscaping and pedestrian improvements. No additional traffic improvements or curb cuts are proposed. The revised drawings include changes requested at the October 10, 2016 planning commission meeting. There is one written modification requests to address the bufferyard width at the shared parking. There are minor outstanding items noted for both the subdivision and land development application on the LSSE review letter dated November 9, 2016. There are no outstanding comments noted on the HRG review letter dated October 4, 2016.

Mr. Hansen asked Jonathan Kamin the attorney representing the applicant to go over the significant changes that have been made. Mr. Kamin replied the parking in front of the dumpster had been removed, and directional signage has been added. Mr. Hansen stated he has major concerns about how the site is planned right now. He stated he cannot accept the flow of traffic to exit through the church parking lot. Mr. Hansen asked if it is possible to have the entry way as an exit as well. Mr. Hansen added parking may have to be changed but it will avoid traffic travelling through the church parking lot.

The applicant engineer, Gary Rouse of GBC Design, Inc., Jason Pociask of Chick-fil-A, Inc. and Mr. Hansen discussed the flow of traffic into the site. Mr. Hansen stated he is concerned about the traffic and the parking. Mr. Rouse replied it will work because Chick-fil-A is closed on

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Sunday and that is the church's busiest day. Mr. Hansen stated that the restaurant hours may someday change. Mr. Pociask replied it is a fundamental value that will not change. Chris Fitting of North Way Christian Community stated there is an agreement between Chick-fil-A and the church that Chick-fil-A is to remain closed on Sundays. Mr. Kamin and Mr. Fitting explained how Chick-fil-A's plan blends with the church's ideas. Mr. Fitting stated this is the last portion of North Way's development, and he feels strongly about the parking and supports the traffic flow.

Mr. Lombardo thanked the applicant for addressing comments from the previous meeting.

Mr. Dennison stated a pedestrian way has been created with striping, and asked why that location was selected. Mr. Pociask replied it is to maintain alignment with the church's pedestrian ways. Mr. Dennison replied the pedestrian way appears to be in an area of maximum traffic on site, and should be on other side of the drive thru and closer to the entrance of the building. Mr. Pociask replied that it could be moved. Mr. Welter stated he has the same concerns about the crosswalk as covered by Mr. Dennison. Mr. Welter stated his other concern is how exiting traffic will be routed. Mr. Pociask showed the signage package with do not enter signs and other directional signs. Mr. Kurpakus stated the signage package will be incorporated into tonight's development submission. Mr. Welter stated he recommends that the hedges along Wallace Road Extension be trimmed low and maintained for sight distance to Wallace Road Extension.

Mr. Hansen stated if the building is shifted the entry could be made two-way. Mr. Pociask replied they prefer having it one-way to limit the number of movements and maintain the flow of vehicles.

Mr. Dennison stated there is a waiver request for the bufferyard. Mr. Pociask replied they are asking to reduce the bufferyard requirement from 10' to 5' to allow for shared parking at the property line. Mr. Kamin stated a 100 percent impervious parking lot already exists so it is reasonable to request a 5' bufferyard.

Motion was made by Mr. Dennison and seconded by Mr. Welter to recommend the Board of Supervisors grant preliminary and final approval of the Northway Christian Community Plan of Lots No. 4 dated October 9, 2016 with the following conditions:

1. Compliance with the LSSE plan review letter dated November 9, 2016

The following voted aye on the motion: Mr. Dennison, Mr. Welter, Mr. McGeary, Mr. Lombardo and Mrs. Evans; Mr. Hansen voted nay. Motion carried.

Motion was made by Mr. Dennison and seconded by Mr. Lombardo to recommend the Board of Supervisors grant a modification to §84-116(H) to reduce the bufferyard requirement from 10' to 5' to allow for shared parking at the property line.

The following voted aye on the motion: Mr. Dennison, Mr. Welter, Mr. McGeary, Mr. Lombardo and Mrs. Evans; Mr. Hansen voted nay. Motion carried.

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Motion was made by Mr. Dennison and seconded by Mr. Welter to recommend the Board of Supervisors grant preliminary and final approval of the Chick-Fil-A land development plan drawings C-0.0, C-1.0, C-1.1, C-2.0, C-2.1, PS-1.0 and PS-1.1 prepared by GBC Design, Inc. dated September 6, 2016 and revised October 27, 2016, 1 of 2 and 2 of 2 prepared by Young Hobbs and Assoc. dated January 11, 2016 and revised March 17, 2016, C-3.0 through C-3.5, C-4.0 through C-4.4 prepared by GBC Design dated September 6, 2016, L-1.0 and L-1.1 prepared by Manley Land Design dated August 30, 2016 and revised October 27, 2016, Sheet 1 of 1 prepared by Young Hobbs and Assoc. dated October 9, 2016, and A-2.1 prepared by e + h Architects dated November 18, 2016 with the following conditions:

1. Compliance with the LSSE plan review letter dated November 9, 2016
2. Compliance with the HRG traffic engineer review letter dated October 4, 2016
3. Sign details to be submitted and reviewed for Code compliance separately
4. Pedestrian walkway is to be moved south to limit pedestrian/vehicle conflicts
5. Preparation of a standard Township Developer's Agreement

The following voted aye on the motion: Mr. Dennison, Mr. Welter, Mr. McGeary, Mr. Lombardo and Mrs. Evans; Mr. Hansen voted nay. Motion carried.

THE VILLAS OF ENGLISH FARMS FINAL SUBDIVISION

Mr. Kurpakus reported Villas of English Farms, L.P. was granted preliminary approval by the Township Board of Supervisors on September 19, 2016. The plan set has been revised to include outstanding engineering comments and the conditions of approval. There are minor outstanding items noted on the updated LSSE review letter dated November 9, 2016.

The applicant engineer David Lucci of Victor-Wetzel showed the preliminary approved plan having 24 lots. Mr. Lucci explained the tree mitigation, the number of trees to be provided and where they are to be planted. Mr. Lucci showed the final plan and explained that he had met with staff to determine where trees are to be planted along the border. Mr. Hansen asked if the residents had been included in the meeting. Mr. Lucci replied they had not and explained additional plantings will be made to the existing trees and everything else will remain the same as the preliminary plan.

Mr. Hansen stated the planning commission has received and reviewed the letters from the residents.

Michael Antol the attorney representing Marc and Pam Fleming of 220 Fox Meadow Drive showed the Flemings live next to the development. Mr. Antol distributed a packet to the planning commission and explained the Flemings' concern about lot 23 located directly behind their property. Mr. Antol explained the plan was revised on September 12, 2016 to add lot 23. Mr. Antol stated the house to be built on lot 23 will be 100' from the rear of the Fleming's house. Mr. Hansen explained when a plan is reviewed the planning commission does not consider where the houses will be built. Planning commission's role is to review the plan to meet Code. Mr. Antol stated the Flemings are requesting the house to be located further away from their house. Mr. Antol stated the conservation easement does not include lot 23 and the preservation of trees and the buffer are inadequate. Mr. Antol showed a photo of the Flemings' house without the existing trees. Mr. Antol stated the proposed house is so close it will not be able to have a deck or patio. Mr. Hansen

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replied that it is important to consider that no one wants to look a house – not the Flemings or the future owner of lot 23. Mr. Dennison stated the conservation easement is along the entire property line of lot 23, and cannot be disturbed.

Mr. Hansen asked Mr. Lucci where house will be. Mr. Lucci replied the location of the house will honor the 40' conservation easement. Mr. Lucci stated the play area and clearing behind the Flemings' property are on the developer's property. Mr. Lucci stated the applicant will keep the existing trees and add more trees. Mr. Antol asked if there could be more buffers.

Mr. Dennison stated he appreciates Mr. Antol's graphics and asked the location of the trees to be removed on the developer's property. Mr. Antol and Mrs. Fleming showed what trees would be taken down.

Birgitta Tolvanen of 471 Fox Meadow Drive stated she is not impacted by this development but lives in the neighborhood. Ms. Tolvanen explained she is concerned about the clearing of beautiful mature trees that were there before Fox Meadow. She stated the replanted evergreen buffers will take years to grow. Ms. Tolvanen added the clearing of mature trees in neighboring developments has increased the noise from the turnpike. Ms. Tolvanen stated the township is becoming overbuilt and no one will want to live in Pine. She encourages the planning commission to deny the proposed plan.

Wayne Juchno of 264 Fox Meadow Drive stated he asked in July about study about underground springs. Mr. Kurpakus replied a study has been done for the application of permits. Mr. Lucci stated a report prepared by a geotechnical engineer found no groundwater in the test borings. Mr. Lucci added the report states groundwater will fluctuate due to precipitation and no springs were found. Mr. Lucci explained less water will flow toward Fox Meadow when the property is developed. Mr. Juchno asked if he could see the study. Mr. Lucci replied he could. Mr. Juchno stated Fox Meadow has had 15 years of runoff problems. Mr. Hansen directed Mr. Lucci to give a copy of the report to the township. Mr. Juchno stated the removal of trees has made it noticeably noisier. Mr. Juchno added the township has given the developer waivers for the wetlands, and in return the developer should give up lot 23. Mr. Juchno added natural wildlife crossings are needed to keep the wildlife off of the roads. Mr. Juchno stated additional buffers are needed to fill in areas that have trees like Sassafras trees.

Mary Seubert of 224 Fox Meadow Drive stated she will see houses from the back of her house because there are no trees to be planted by developer. Ms. Seubert added it will affect the value of her house. Her husband, Ed Beck agreed it will impact the value of their home.

Kevin Langer of 216 Fox Meadow Drive asked who controls where house can be placed. Mr. Hansen replied there are certain requirements where a house can be built, but the township can't tell people where to build. Mr. Kurpakus stated the 40' buffer matches the building line setback. Mr. Langer stated a house could be built 41' from the property line. Mr. Langer asked who will police the conservation easement. Mr. Langer stated the lot behind the Flemings has been shoe horned in by the developer and should be reconsidered by the planning commission.

John Moschitta of 248 Fox Meadow Drive stated that at the last planning commission meeting residents were told that township staff, the developer and the residents would look at the trees and discuss their removal and replacement. Mr. Hansen stated he also thought that was agreed upon and would like that to be done. Mr. Hansen stated the residents' concern is there is a

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need for more trees. Mr. Hansen stated for clarification the geotechnical study needs to be reviewed when it is received by the township.

David Azar of 102 English Farm Drive asked who determines the appropriateness of the tree survey. Mr. Azar stated the survey was done for the first proposed plan and is being used for subsequent plans. Mr. Azar stated the number of trees of significance is based on the initial tree survey and does not represent the correct number, it underestimates. Mr. Hansen replied the EAC does a site walk and establishes the trees of significance. Mr. Hansen added the EAC does not walk the entire site, they take a sample. Mr. Kurpakus stated the revised plan had been sent to the EAC and the EAC agreed the limits had expanded. Mr. Lucci asked if the EAC had agreed. Mr. Kurpakus replied they did, and chose the sample area. Mr. Azar asked if there were any comments from the EAC about running a road through a pond. Mr. Lucci stated the pond is manmade. Mr. Azar asked about reforestation near the entrance of plan. Mr. Azar reiterated the amount of deforestation undermines the character of township.

Mr. Welter asked David Lucci about the location of the home. Mr. Lucci replied it is a representation, an approximate location. Mr. Welter asked why the house would be located in the area shown. Mr. Lucci explained it has to do with grading. Mr. Welter asked if it could be moved north or northeast. Mr. Lucci replied there are steep slopes toward English Road. Mr. Welter asked if it is feasible to revise the site. Mr. Welter explained a lot of what planning commission does is confined to commenting on Code as it is written. Mr. Welter added Code may need to be clarified at times, and planning commission tries to strike a balance, it tries to plan to the best of the confines, and look at what makes sense and is practical, it's all about planning. Mr. Welter stated this is a good example of trying to strike a balance. Mr. Welter stated a lot of times developers want to push the limits of what they are allowed to do to make more money and this is a good example. Mr. Welter stated the value of the home to be built will be affected also. Mr. Welter stated it would maximize the value of the house and create goodwill if more buffer was added. Mr. Welter asked Mr. Lucci if he could do more. Mr. Lucci replied there could be additional plantings and the grading of the lot could be changed. Mr. Lucci added the lot meets Code having setbacks and a buffer. Mr. Welter agreed that it does meet Code. Mrs. Fleming added she liked the plan that was presented in July.

Mr. Dennison stated he largely echoes Mr. Welter's comments, and added the plan was changed because the residents of English Farms did not want a connection. Mr. Dennison stated it may require removing more trees to find a different area for the house. Mr. Hansen stated it would be great if they could make a different location for the house. Mr. Lucci stated he met with staff concerning the trees of significance. Mr. Hansen replied anything above and beyond would be voluntary, like adding to the conservation area. Mr. Lucci replied more trees could be planted in the in bufferyards.

Mr. Dennison asked Mr. Lucci about the grading on the left side of the long driveway. Mr. Lucci replied the grading could be done differently to change the proposed location of the house.

Mr. Hansen asked Mr. Kurpakus if anything else was outstanding. Mr. Kurpakus replied only the geotechnical report, the NPDES permit, and other permits that normally come later.

Mr. Azar asked if the sidewalks would be tied in with the current sidewalk on English Road. Mr. Kurpakus replied a trail extension will be completed under the road program.

Motion was made by Mr. Dennison and seconded by Mr. Welter to table the application to allow the applicant to address all outstanding engineering comments and conditions of approval. The aye vote on the motion was unanimous. Motion carried.

#### CLOVERDALE WOODS P.R.D.

Mr. Kurpakus reported the applicant has asked that the application be tabled. Mr. Hansen recommended that the application be tabled. Motion was made by Mr. Welter and seconded by Mr. Dennison to table the Cloverdale Woods P.R.D. The aye vote on the motion was unanimous. Motion carried.

#### ST. BARNABAS CONDITIONAL USE APPROVAL REQUEST

Mr. Kurpakus reported St. Barnabas Land Trust, Inc. is proposing the development of the former Treesdale Estate property for use as a private recreation facility and public-semipublic use to serve the St. Barnabas residents and patients. Township Code defines recreation facility as land and structures which are privately or commonly owned and devoted to outdoor recreational or athletic purposes and public-semipublic use as uses operated by the public or semi-public bodies such as public meeting halls and community centers. Recreation facilities and public-semipublic use are conditional uses in the R-1 and S-1 districts. There are minor outstanding items noted on the LSSE review letter dated November 9, 2016. There are no outstanding items noted on the HRG review letter dated November 3, 2016. The EAC recommends the developer mitigate six trees on-site; forty-one trees are provided on the submitted landscape plan. Parks and Recreation Commission has reviewed the plan.

William Sittig counsel for St. Barnabas stated this is a two part approval, conditional use and a land development application, although he doesn't believe it is land development. Mr. Sittig explained there will be no changes made to the building, and they intend to preserve the grounds. They are here for the repurposing of the manor house. Mr. Sittig gave an overall outline stating a recreation facility is proposed, the property is a large single family facility, and the plan meets that classification. Mr. Sittig stated they have met with the Parks and Recreation Commission. Mr. Sittig explained the law doesn't distinguish between public and private use of a recreation facility. Mr. Sittig stated the facility will be used for wellness benefits and activities, and no demolition will be done inside. Mr. Sittig stated the room will accommodate 75 people with a maximum of 10 additional staff members, programming is just getting underway. Mr. Sittig added they are preserving everything, and will only remove six trees; the emphasis is on the trail system. Mr. Sittig explained the safety of St. Barnabas' residents whose average age is 88 years old is paramount, and they need to be segregated for their safety.

J.D. Turco of St. Barnabas stated they are happy to be in Pine, and it is a beautiful piece of property. Mr. Turco explained few changes will be made to the building and grounds. Mr. Turco stated the EAC has looked at the plan, and they have met with Parks and Recreation. Mr. Turco explained the purpose is to provide an amenity for their residents. Mr. Turco stated there will be ADA compliant trails and they intend to have educational seminars, hospice support, memorials, and reflecting ponds to remember loved ones on the property. Mr. Turco stated there will be spiritual areas throughout the property. Mr. Turco stated 75 parking spaces will be for educational seminars which will be a big part of what property will be used for, in addition to having Veterans' programs. Mr. Turco added the type and how often they will be held are still being planned. Mr. Turco stated there will be controlled access for the safety and security of their residents; their first

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responsibility is to keep the residents safe and secure. Mr. Turco stated they are still planning what type of activities will be held on the property.

Mr. Sittig stated the plan has been reviewed by the township engineer and they have addressed the comments, and they will also need a driveway permit. Stormwater maintenance plans will be a condition of approval, and the NPDES and HOP permits and geotechnical report will be done later.

Mr. McGeary asked if they were aware of the Parks & Recreation trail plan. Mr. Sittig replied he was aware of the connectivity of recreational trails. Mr. Sittig stated he has not seen all of the plans for trails. Mr. McGeary stated sidewalks along Warrendale Road are important for public safety, and described the large number of kids who walk along the sides of the road on Friday nights. Mr. McGeary stated he realizes St. Barnabas is a charitable organization and may be tax exempt but stressed the need to meet the Code. Mr. Sittig agreed it is not taxable.

Mr. Hansen stated he wanted to clarify that Code requires sidewalks along Warrendale Road. Mr. Sittig replied sidewalks would be required if it was a land development but they are not building anything. Mr. McGeary replied the use is changing and it will no longer be a residence, and strongly recommends having sidewalks. Mr. Kurpakus stated a land development application is required.

Mr. McGeary asked if they are against installing sidewalks. Mr. Sittig replied they are generally against it, especially at the back end of property as proposed by Parks & Recreation. Mr. McGeary replied traffic along the property makes having sidewalks a safety factor.

Mr. Hansen stated they had submitted an application for land development. Mr. Sittig replied they were told they needed an application for land development.

Mr. Hansen stated #9 in the engineer's review requires provision of sidewalks along all roads. Mr. Sittig stated they have submitted a land development application because it was required, but they do not think it is land development. Mr. Hansen asked if they are aware a condition of the plan's approval may be compliance with the engineer's letter. Mr. Sittig replied they are aware of the condition. Mr. McGeary stated they are interpreting the meaning of land development differently.

Mr. Lombardo asked based on the master plan rendering if the garden will encroach on the buffers. The applicant engineer Bill Moldovan of Civil & Environmental Consultants, Inc. stated the garden will not encroach in the 50' buffer area.

Mr. Dennison stated he commends St. Barnabas for this particular use, it is low impact. Mr. Dennison added he echoes Mr. McGeary concerns, sidewalks are needed on each side of Warrendale Road.

Mr. Welter stated that per Section 84-77A a recreational facility will be a benefit or convenience to the neighboring residents of the township, and asked how the plan will achieve that requirement. Mr. Sittig replied in the way a golf course would, it provides a large buffer to the neighbors as an amenity. Mr. Sittig added uses permitted by definition do not mean they are available to the public. Mr. Welter asked how it meets criteria. Mr. Sittig replied the Code can only protect the landowner, neighboring residents benefit by preserving the property.

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Mr. Hansen stated it is a beautiful plan having trees and trails, and is happy to have St. Barnabas. Mr. Hansen stated from the township's standpoint sidewalks and trails are key. Mr. Sittig replied they will not get sidewalks on both sides of Warrendale Road.

Mr. Hansen asked if St. Barnabas would consider making phase 3 open to the public as it borders Township property. Mr. Turco and Mr. Sittig replied St. Barnabas is concerned about security for its residents.

Motion was made by Mr. Dennison and seconded by Mr. McGeary to recommend the Board of Supervisors grant conditional use approval to St. Barnabas Land Trust Inc. to utilize property located at 640-660 Warrendale Road for the purpose of a semipublic-public use and recreation facility with the following conditions:

1. The use shall be limited to the facilities and property as shown on the submitted land development drawings dated 10/21/16 with any modification or amendment to be subject to further Code review and approval.

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

Motion was made by Mr. Dennison and seconded by Mr. McGeary to recommend the Board of Supervisors grant preliminary land development approval of the St. Barnabas Trees Property master plan drawings Cover, C001, C100-104, C200-205, C300-304, C400-404, C800-804 and C900-908 dated October 21, 2016 and prepared by Civil & Environmental Consultants, Inc. with the following conditions:

1. Compliance with the LSSE review letter dated November 9, 2016
2. Compliance with the HRG review letter dated November 3, 2016
3. Compliance with all conditions of the Conditional Use Approval
4. Compliance with the EAC recommendation dated November 3, 2016
5. Compliance with the Parks and Recreation Committee recommendation dated November 11, 2016
6. Developer to provide a 40' pedestrian easement and construct Code required trail or sidewalk per Section 84-120 of the Township Code along the entire property front to Warrendale Road on both sides of the road as indicated in the Parks and Recreation recommendation dated November 11, 2016.

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

LUDWIG PLAN OF LOTS PRELIMINARY AND FINAL SUBDIVISION

Mr. Kurpakus reported Marti Ludwig is proposing the creation of an 8-lot standard subdivision on property located at 10780 Babcock Boulevard. The existing residence will remain as lot 1 and 7 additional two-acre single-family residential lots will be created for future home construction. The project includes a sanitary sewer line extension to serve the new lots and existing residence at 10780 Babcock Boulevard. The property was subject to a recent approval to allow a 3-lot subdivision but has now been re-submitted under new application. There are minor outstanding items remaining on the LSSE review letter dated November 9, 2016.

Doug Tait of Tait Engineering stated the proposed subdivision is part of the Ludwig property that had been subdivided approximately 8 years ago. At that time some property was transferred to the Allegheny Land Trust. Mr. Tait explained public sewer would be extended from Karrington Drive to service the lots and a neighbor to the south. Mr. Tait explained lots 2-8 will front Babcock Boulevard and will be sold and developed "as is". The owner will retain lot 1 having 11 acres, and is asking for relief from the sidewalk requirement since the lot will have a large frontage on Babcock Boulevard. Mr. Welter asked if the other seven lots will have sidewalks. Mr. Tait replied they would. Mr. Welter stated extending the sidewalk across all eight lots will allow for one bus stop.

Mr. Dennison asked if they planned to have eight curb cuts and if they would consider a private driveway. Mr. Tait replied they did not plan a common driveway because the lots are only 400' deep, and it would have to be parallel to Babcock Boulevard. Mr. Tait added the plan was designed to have the least amount of disturbance to the property, each lot contains 2 acres and is 200' wide, and the curb cuts would be spaced apart. Mr. Dennison replied Babcock Boulevard has become a signalized road and he is concerned about having that many curb cuts, it is not ideal since there are already several on other side of the road. Mr. Dennison asked Mr. Kurpakus what standard cartway width is, and Mr. Kurpakus replied it is 24' for a public road, Mr. Firek added 18' is standard for a private driveway. Mr. Kurpakus stated there is a 100' building setback because of the greenway overlay district. Mr. Dennison replied there would be enough room for a private road within the greenway. Mr. Dennison added having a private road would reduce the number of curb cuts from eight to two. Mr. Tait replied the topography would require grading and clearing, and it may not be possible. Mr. Dennison replied he would like it to be considered as in the future there will be 500 homes built near high school and more development along Babcock Boulevard. Mr. Lombardo stated he agreed two HOP's are better than eight.

Mr. Lombardo stated if they are not considering a road, the sidewalks should be installed before any houses are built, and that includes the Ludwig property. The lots may not be developed right away and if the sidewalks are not installed, they will not get done; he added not having sidewalks is also safety issue for children. Mr. McGeary stated he has the same concerns as Mr. Lombardo. Mr. Hansen added people trying to access the Allegheny Land Trust property will also need sidewalks. Mr. Hansen asked Mr. Kurpakus if sidewalks are required along Jackson Road. Mr. Kurpakus replied not if lot one is not included in the development.

Mr. Hansen stated he agrees will Mr. Dennison and the subdivision needs a parallel road with two curb cuts, having eight curb cuts will be difficult. Mr. Welter stated he agrees with Mr. Dennison. Mr. Welter added he lives on Jackson Road and is aware of blind spots along Babcock Boulevard, including coming out of Karrington Drive. Mr. Welter added the line of sight is poor north of lot 2.

Mr. Welter stated having seven driveways will be difficult, and a common access drive will make sense. Mr. Tait asked if it would be allowed in the greenway overlay. Mr. Kurpakus replied he will research Code. Mr. Hansen stated a waiver could be granted. Mr. Welter added the access road could take the place of the required sidewalks. Mr. Dennison stated the curb cuts could be installed in places with maximum sight distance, like a T intersection with Karrington Drive. Mr. Welter added the private road may enhance the value of the property. Mr. Lombardo stated the road will also provide additional parking.

Motion was made by Mr. Dennison and seconded by Mr. McGeary to table the Ludwig Plan of Lots. The aye vote on the motion was unanimous. Motion carried.

#### A&R SOLUTIONS, LLC CONDITIONAL USE APPROVAL REQUEST

Mr. Kurpakus reported A&R Solutions has submitted a conditional use approval request to operate a suboxone/addiction treatment clinic on property located at 12703 Perry Highway. Township Code specifies "methadone treatment facility" as a conditional use within the C-1 Zoning District subject to the specific requirements of Article V Section §84-62 and Article VIII Section §84-137 of the Township Code.

Adam Vahanian representing A&R Solutions stated the language in the zoning code refers to a methadone facility; suboxone treatment is more advanced for opioid addiction.

Dr. Frank Stanish of A&R Solutions stated the use of suboxone started many years ago; the drug does not provide euphoric symptoms like methadone. Dr. Stanish explained that no drugs are kept on the premises and the clinic will issue written prescriptions. He added the prescriptions are designed so they cannot be stolen. Dr. Stanish stated he is a member of the American Academy of Addiction Psychiatry. Dr. Stanish explained the clinic is unique because patients are given appointment times, the clinic is only open a couple of days per week, and there are fewer patients than a methadone clinic would have.

Mr. Hansen asked about the effects and how suboxone works. Dr. Stanish replied there are no drug effects, and it alleviates cravings. Dr. Stanish added most of his patients have fulltime jobs.

Mr. Vahanian stated the clinic would be a benefit to the community. Dr. Stanish added drug use today is rampant, and the mortality rate is epidemic. The clinic gets kids off the street and gives them an ability to function. Dr. Stanish stated he started working with A&R in 2013 because methadone clinics don't work.

Mrs. Evans asked if the clinic would be open fulltime. Dr. Stanish replied he works one day per week at the clinic in Kittanning, a space in the middle of the city, rented from a church. He added that kids come from as far away as West Virginia and Ohio and drive 3-4 hours to get there, and there are currently not enough clinics. Mrs. Evans asked why this location was chosen. Dr. Stanish replied to the best of his knowledge there is one in Wexford and a couple in Cranberry.

Mr. McGeary stated he commends Dr. Stanish, it is a tough job and there is public interest. Mr. McGeary asked if they would be in compliance with the requirement of not being within 500' of a residence. Mr. McGeary added there are three residences located nearby. Mr. Vahanian replied in his letter dated November 7, 2016 he stated the facility is not located with 500' of a residential

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housing area. Mr. Hansen replied he had counted eight or nine residences within 500' of the proposed facility.

Mr. Lombardo asked if only prescriptions would be given. Dr. Stanish replied that it would be prescriptions only. Mr. Lombardo asked if this facility would be a segue to a methadone clinic. Dr. Stanish replied no, methadone is not something he would use. Mr. Lombardo asked Mr. Vahanian if he thought it would be a segue to a methadone clinic. Greg Roscoe, C.E.O. of A&R Solutions LLC stated A&R stands for addiction & recovery, and his son was saved by suboxone, he added he knows people who have been killed by methadone and he would not use it.

Virginia Ley of 845 Fox Lane stated the issue is the ordinance says methadone, not suboxone, so 500' does not apply. She added she has lived here for 50 years and heroin addiction is an epidemic in Pennsylvania. Ms. Ley stated she agrees that a methadone clinic should be 500' from residences, but at this suboxone clinic patients will have appointments and there will not be a line out the door.

Mr. Dennison asked if they plan on using one unit only. Dr. Stanish replied it would be one unit and it is the end unit. Mr. Dennison asked how many square feet the building contained. Mr. Roscoe replied it has 1,100 square feet. Mr. Dennison asked how patients would be referred. Dr. Stanish replied it would be by word of mouth. Mr. Dennison asked if any of the patients would be there because they were directed by the criminal justice system. Dr. Stanish replied some the patients have probation officers. Mr. Dennison asked if they will mainly come on their own volition, and Dr. Stanish replied they would. Mr. Dennison stated the planning commission is aware it is a suboxone clinic and not a methadone clinic, but methadone clinic is the closest thing to apply to this application and it is up to the discretion of the Board of Supervisors to approve the request. Ms. Ley added it is advertised as A&R Solutions, and will not say it's a clinic on the building.

Mr. Welter asked if the Board of Supervisors could revise the Code to include suboxone. Mr. Kurpakus replied a revision would not apply to this request since the applicant has already made their application. Mr. Kurpakus added the difference between suboxone and methadone can be addressed during the conditional use hearing.

Mr. Welter asked about the ages of the patients since Dr. Stanish referred to them several times as "kids". Dr. Stanish replied he calls everyone a kid since he is 76 years old and said the ages range from 19 to 74 years old. Mr. Welter asked if the patients are largely addicted to heroin. Dr. Stanish replied there are heroin addicts, but now they are seeing prescription drug addicts, too. Mr. Welter stated this has been educational and has added to his comfort level.

Dr. Stanish described the difference between methadone and suboxone treatment. Mr. Welter asked what the rate of success is with suboxone. Dr. Stanish replied suboxone has a 5% success rate.

Mr. Hansen stated he appreciates the service offered by A&R Solutions. Although it is a suboxone treatment facility, not methadone, a methadone treatment facility is the closest application for Code, and they must apply methadone rules to this operation. The facility cannot be within 500' of a residential home. Mr. Hansen added Code does offer a unique out for the 500' requirement. The Board of Supervisors can give a waiver, and allow the facility to be within 500'.

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Mr. Vahanian thanked the planning commission for their consideration and added they were a most gracious board and asked relevant questions.

Mr. Kurpakus stated a public hearing has to be held and will be scheduled for December 5, 2016. Mr. Dennison stated it is the duty of the planning commission to make a motion.

Motion was made by Mr. Dennison and seconded by Mr. Lombardo to forward the conditional use approval request to the Board of Supervisors for review at a public hearing per Section 84-62(C) of the Code, finding that the application has been found to be non-compliant with Section 84-62(B) of the Township Code because the proposed facility is within 500' of residences. The following voted aye on the motion: Mr. Hansen, Mr. Dennison, Mr. Welter, Mr. McGeary, and Mr. Lombardo; Mr. Welter abstained; and Mrs. Evans did not vote as she left at 9:19 p.m. Motion carried.

ADJOURNMENT

Motion was made by Mr. Dennison and seconded by Mr. Lombardo to adjourn the meeting. The aye vote on the motion was unanimous. Motion carried. The meeting adjourned at 9:27 p.m.