

MINUTES OF TOWNSHIP OF PINE PLANNING COMMISSION MEETING

Monday, February 12, 2018

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; Garrin Welter; John Lombardo; Jeffrey McGeary and Lauren Parker. Also present were Larry Kurpakus, Director of Code Administration and Land Development; and Dave Kovac, Lennon, Smith, Souleret Engineering, Inc. (LSSE).

There were approximately 45 visitors present.

PLEDGE OF ALLEGIANCE

REORGANIZATION OF THE PLANNING COMMISSION FOR 2018

Motion was made by Mr. Lombardo and seconded by Mr. Welter to nominate Mr. Hansen as Chair of the Planning Commission for 2018. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. McGeary and seconded by Mrs. Parker to nominate Mr. Welter as Vice-Chair of the Planning Commission for 2018. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Welter and seconded by Mrs. Parker to nominate Mr. Lombardo as Secretary of the Planning Commission for 2018. The aye vote on the motion was unanimous. Motion carried.

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 December 11, 2017 Planning Commission meeting. The aye vote on the motion was unanimous except for Mr. Hansen who abstained as he was 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 January 8, 2018 Planning Commission meeting. The aye vote on the motion was unanimous except for Mr. McGeary and Mrs. Parker who abstained as they were not in attendance at that meeting. Motion carried.

OLD BUSINESS

LAUREL GROVE PHASE IIA FINAL APPROVAL REQUEST

Mr. Kurpakus reported Phase 2A includes a total of 84 units. The Board of Supervisors granted conditional use and preliminary subdivision approval, with conditions, on July 5, 2016. He added the Planning Commission tabled the application at its December and January meetings to allow the applicant to address outstanding engineering comments. There are minor outstanding items noted on the LSSE review letter dated February 8, 2018.

Jonathan Kamin on behalf of the developer stated Phase 2A is a townhome community and the developer has received all necessary waivers with the tentative approval.

Jack Donahue, 548 MacLeod Drive and Jeff Fisher, 563 MacLeod Drive stated they have been concerned about this development since the beginning and warned the planning commission about the impact it would have on their lake. They were told the developer would follow DEP procedures, but the condition of the lake is worse than they predicted. Mr. Fisher presented photographs showing the lake before and during development. Mr. Donahue stated the lake was destroyed over summer and the streams that feed the lake were affected. He added it may clear up after the construction stops, but the lake is full of sediment and asked who will clean it up. Mr. Fisher stated the E&S controls have failed and the planning commission should not approve phase 2 until phase 1 is resolved.

Mr. Welter asked Mr. Kurpakus what the impetus was for the DEP stop work order. Mr. Kurpakus replied he could not comment on why the DEP ordered the stop work order, but the Township ordered one because of non-compliance with DEP regulations. Mr. Kamin stated the DEP governs the E&S controls. The Township reviews the plans, but the conservation district determines if the controls are adequate. Mr. Kamin explained 2 ½ inches of rain may cause some of the controls not to work. DEP issued a stop order because some of the controls were not working, and it was lifted on 1/31/18. Mr. Kamin added it would have been earlier, but the weather has been cold and site conditions muddy. Mr. Kamin stated the controls are in addition to what is required by DEP.

Mr. Kamin stated the lake was already full of sediment and the residents were in litigation with their developer. The developer of Laurel Grove offered to test for sediment, but the residents refused. He added they have been working with DEP and are in compliance. He explained they have been under weekly inspections by DEP and are waiting for a joint permit 105 to be approved.

Mr. Welter asked if E&S controls were in compliance all along but failed due to the large amount of rain. Mr. Kamin agreed.

Mrs. Parker asked if the temporary E&S controls were designed to handle a 2-year rain event. Mr. Kamin replied they were and added there are multiple controls on the site since it is so large. Mr. Kamin stated they have spent \$100,000 in last 6 weeks adding straw, matting and rocks. He added E&S control inspections are conducted one or two times a week by an in-house E&S team and in July and August DEP presented it as a model site.

Mr. Donahue stated the E&S controls have failed since day one. They may have been designed for a 2-year rain event but every year there are 100-year rain events. The developer was warned the lake would be affected. Mr. Donahue added the \$100,000 blanket went up in January

and it is still a mess. It needs to be addressed now or the sediment pond will breach and overflow into lake. Mr. Fisher added an E&S report dated 1/30/18 stated the developer is out of compliance and there is potential for pollution.

Sherwood Johnson, 549 Macleod Drive stated it is important to understand there is a sediment pond, wetlands, and a lake. Mr. Johnson added it takes two weeks for the lake to clear. The DEP stopped work because of deficiencies, sock filters gaps, surface runoff, etc. He added the developer cannot be trusted to have E&S control done properly in the second phase.

Mr. Hansen asked Mr. Kovac what else can be done. Mr. Kovac replied the Township can do nothing more, the developer needs to follow the conditions of the E&S permit.

Mr. Welter asked Mr. Kamin to respond to the residents' statements. Mr. Kamin replied the sediment pond and lake had sediment prior to development and asked what the compliance status was while this was happening. He explained some controls failed during the rain and were fixed. Mr. Kamin asked that the development be allowed to continue, and the site stabilized. He added the controls need to be there until it's done. The site has been monitored weekly and has not been ignored. Mr. Welter asked if the problem resulted from a lack of compliance. Mr. Kamin replied the site has been inspected every week since August.

Mr. Hansen explained the Township is not enforcement body and advised the residents to report noncompliant E&S controls to the DEP. Mr. Donohoe asked the planning commission members to walk down to the lake and observe its conditions.

Motion was made by Mr. Welter and seconded by Mr. McGeary to recommend the Board of Supervisors grant final approval of the Laurel Grove phase 2A subdivision drawings C-100, C-200, C-300, C-301, C-400, C-401, C-500, C-501, C-502, C-503, C-600, C-601, C-602, C-603, C-700, C-701 and C-702, prepared by PVE Engineering dated November 17, 2017 and revised February 2, 2018 and C-800, C-801, C-801A, C-802, C-803, C-803A, C-804 through C-807, and C-900 through C-903, prepared by PVE Engineering dated November 17, 2017 and revised January 2, 2018, C-1000 prepared by PVE Engineering dated November 17, 2016 and revised November 12, 2017 and C-1001, C-1100, C-1101 and C-1102, prepared by PVE Engineering dated November 17, 2017 and revised February 2, 2018 with the following conditions:

1. Full compliance with preliminary approval dated July 5, 2016
2. Strict compliance with LSSE review letter dated February 8, 2018
3. Preparation of a Township Developer's Agreement prior to the release of grading permits

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

WEXFORD STATION TENTATIVE P.R.D. PLAN

Mr. Kurpakus reported Brennan Road Development, LLC is proposing a 41 lot PRD on property located along Brennan Road in the R-2 Zoning District. The plan includes 21 single family lots and 20 lots identified as patio homes. Traffic improvements are proposed to re-align Brennan Road and provide a left turning lane on Wexford-Bayne Road to increase sight distance to meet current PennDOT standard. Stormwater management, landscaping and pedestrian improvements are proposed with the plan. EAC recommends mitigation of 40 trees of significance. 310 Trees are proposed with the landscape plan. Parks and Recreation recommends construction of the trail extension and payment in lieu of construction of the required active recreation facilities.

John Schleicher, Gibson Thomas Engineering, the applicant engineer stated they have revised their plans to address the planning commission's comments from the last meeting. Mr. Schleicher added the plan is in good order for a technical review and they have received positive EAC and Parks & Recreation recommendations since the last meeting. Mr. Hansen asked if they agreed with the Parks & Recreation recommendations, Mr. Schleicher replied they did.

Mr. Schleicher stated the design features address concerns that are not in black and white in the ordinance. He reported they have met with PennDOT concerning the relocation of the intersection with Brennan Road. Mr. Schleicher added as an engineer he is aware of the existing deficiencies in Brennan Road. The developer is willing to undertake the improvement but only as part of development of the property.

Mr. Schleicher explained he pared down some of the line work on the plan to show paving, unit layout, driveways, and vast amounts of undisturbed area; adding all the perimeter will remain undisturbed and buffer plantings will be made according to Code. He explained PRD zoning does not allow more density than conventional zoning; it allows for smaller lots in lieu of open areas. He added the PRD will allow the existing watercourse along Brennan Road and the woods along the property's perimeter to be undisturbed. Mr. Schleicher showed a slide showing the western boundary toward Marshall Township and stated no trees are to be disturbed. He presented additional slides showing trees that are not to be disturbed and the watercourse. Mr. Schleicher explained a PRD will benefit the existing stream and the old railroad bed.

Mr. Schleicher showed the existing Brennan Road and Route 910 intersection and how the proposed intersection would look. He explained moving the intersection would provide adequate sight distance, over 500' of sight distance looking east and 600' looking west. He added this would benefit the residents and the 18,000 vehicles per day that travel Route 910.

Mr. Schleicher explained the homes would be constructed with brick, stone and hardy plank, having a minimum price of \$500,000 and averaging \$700,000. He showed the construction access location and explained where the future stormwater facility access will be.

Mr. Hansen asked about the timeline of the Brennan Road improvements. Mr. Schleicher replied it would be concurrent with development.

Mr. Schleicher stated he had met with Parks & Recreation and Township staff to discuss the route of the trail. They have also had conversations with Rachel Carson Trail Conservancy concerning plans to dedicate 1.5 acres to them and have agreed to construct the trail to Rachel Carson Trail's specifications.

Mr. Schleicher reported they are working with the Township concerning the vacated area of Route 910. He added well testing will be done predevelopment and post development as required. Mr. Welter asked how close well testing will be performed to proposed development. Mr. Schleicher replied within 600' of the development.

Mr. Schleicher reported according to a preliminary traffic study they have projected 8 morning total trips to make a left out of plan and 34 total morning peak trips and 43 evening peak trips. He explained the numbers are based on single family occupancy per the ITE trip generation manual. Mr. Schleicher added it is a well thought out plan.

Danielle Gollick, 151 Manor Road stated she and other residents have prepared a presentation for the planning commission. She added they are looking to the board to maintain the character of the community and to represent the people who live there. Ms. Gollick explained the area of the proposed development is located at the gateway to Pine. She added they are also concerned about traffic safety. Ms. Gollick stated their presentation is based on Township's 10-year plan and ordinances.

Anthony Roethlein, 131 Brennan Road, stated he disagrees with Mr. Schleicher and the line of sight is not problem, 18,000 cars are the problem. He believes the amount of traffic coming out of the proposed plan between 6 and 8 am will be much higher since 70% of the homes will have 2 vehicles. Mr. Roethlein added the only viable option is to move the plan entrance to Cardinal Drive with a traffic signal. He stated he spoke with PennDOT and was told any wait over 10 seconds needs a traffic signal. Mr. Roethlein also suggested having the owner put the entrance through one of his rental properties to the south of the proposed development.

Kathryn Lefeber, 80 Laurel Hill Street, stated the traffic signal at Manor Road is not safe, and speeding is a problem. Adding more traffic is unacceptable. Mrs. Lefeber explained Brennan Road has nine homes and is super rural, the proposed development will increase the number of homes 450%. She added Brennan Road is deteriorating and does not meet Township standards. It is too narrow and has no curbs. Mrs. Lefeber believes the proposed Intersection will increase cut through traffic. She suggested putting the development's entrance onto Route 910.

Mrs. Lefeber stated Pine's character is semi-rural and the development will make an environmental impact. She added many of the signers of their local petition express concern about the impact on the environment. Mrs. Lefeber stated she is concerned about the detention pond and showed a photograph of the stream flooding Brennan Road. She explained other developments dump their stormwater into the stream and the area has history of water problems. Mrs. Lefeber disagrees with granting a variance to steepen the sides of the detention pond as this area floods. She added Code needs to be followed to prevent flooding and a soil study needs to be conducted. Mrs. Lefeber commented the proposed construction entrance will be next to her house and explained the life-threatening consequences for her son.

Mrs. Lefeber stated she is concerned about well contamination and asked who will do the well testing and how it will be monitored and enforced. She also agreed the development should not exit onto Brennan Road, but from Route 910 or Cardinal Drive. Mrs. Lefeber suggested to counter a negative impact, the parcel should be considered as a green space for the trail or as a gateway. Adding they could work with the Township to create the green space and find grants and other funds to offset the costs. Mrs. Lefeber question how the proposed PRD would give back to the community and how it fits in with the strategic plan.

Tara Safar, 711 Collen Court (Marshall Township) read from a letter dated February 2015 from PennDOT to the Marshall Township manager concerning a safety study at the Highpoint Drive intersection in Marshall Township. PennDOT suggested restricting left turns to mitigate the crash pattern at the intersection.

Lisa Greenberg, 225 Guckert Lane (Marshall Township), stated she has been told there would be an 80' buffer between the proposed development and her property, but then was told it would be 40 or 50'. Mrs. Greenberg stated the ordinance requires a minimum of an 80' buffer and the fringe lots around the development should also have an 80' buffer. Mrs. Greenburg also cautioned it is a highly sloped development and her property will be impacted. Mrs. Greenburg

proposed the cul-de-sacs to be moved back to avoid having a house sitting in her back yard. Mr. Kovac responded saying the buffer is in compliance as the developer will be utilizing existing vegetation not shown on the drawings.

Paul Eichner, 171 Shady Lane, asked why the holding pond is not near Route 910, adding it would have no impact on the stream and Brennan Road there. Mr. Eichner also questioned the rationale of having slab homes with regular homes.

Cheryl Chandola, 240 Brennan Road questioned how green space is calculated and if it is right to use wetlands and slopes in the calculations. She added she is in favor of having the trail being turned over to the Rachel Carson Trail Conservancy, but it shouldn't be included in the development's green space. Mrs. Chandola stated the average size of lots on Brennan Road is 2.26 acres and the small lots would be out of character with the surrounding homes.

Kerry Werner 805 Oakview Court (Marshall Township) stated her property abuts the tree line of the proposed development and she is concerned about the stream that runs along the tree line in her backyard and onto Cardinal Road.

Dan Kunz, 313 Osprey Court, asked Mr. Hansen about the proposed K values that modification is requested. Mr. Hansen asked Mr. Schleicher to respond and Mr. Schleicher stated they are seeking modifications in three areas typically at stop conditions and sight distance will not be limited. Mr. Kunz asked what could be done to bring the K values with ordinance. Mr. Hansen replied there is no benefit to achieve the K values as additional disturbance would be required. Mr. Kunz asked if there is a geotechnical report. Mr. Kurpakus replied there is.

Mrs. Parker asked what type of detention facility is proposed. Mr. Schleicher replied it will be a dry extended detention basin, having infiltration over a longer stretch, he added it will be dry in 24-48 hours. Mrs. Parker asked if it will have a low flow orifice. Mr. Schleicher replied it would and it would also have underground features. Mrs. Parker asked if the stormwater pond would drain to the stream. Mr. Schleicher replied it would, adding they have received a permit for a stream crossing and have met with the conservation district to obtain an NPDES permit.

Mr. Welter stated the K value of the realignment will have to meet PennDOT standards. He added he is concerned about people getting onto Route 910 turning left; Mr. Schleicher agreed.

Mr. Welter reported he visited the site today. He stated there are traffic concerns on Manor Road, but they are an existing condition and the new plan will not make a negligible difference. The traffic signal at Manor Road and Route 19 traffic needs to be addressed. Mr. Welter added the Township is growing, but because of good planning it is good growth. He added growth cannot be stopped if it meets Code. Mr. Welter explained Brennan Road realignment will benefit the community and it will be much safer. Mr. Welter stated the connection to Cardinal Drive is good in theory, but it cannot meet PennDOT criteria from his review.

Mr. Lombardo asked if the developer would consider upgrading Brennan Road. Mr. Schleicher replied with 41 lots it is not feasible, adding there will be substantial costs to relocate the Brennan Road entrance. Mr. Lombardo asked what will be done at end of Brennan Road, and Mr. Schleicher replied they are on board to work with the Township. Mr. Lombardo asked if water and sewage can be extended to the neighboring properties. Mr. Schleicher replied elevation prohibits sewer and water is available along Route 910. It will be up to the residents to tie in. Mr. Schleicher added they can extend water service at Brennan Road

Mr. Lombardo asked how many fire hydrants the development would have. Mr. Schleicher replied there would probably be 3 or 4 hydrants; West View Water Authority determines the actual number. Mr. Schleicher added there is water sufficiency and they have received an approved sewer planning module.

Mr. Hansen asked if the request for 2:1 slopes was acceptable. Mr. Kovac replied it is not an issue as shown on the plan.

Mr. Lombardo asked if 41 single family homes are proposed. Mr. Schleicher replied Code permits 20 patio homes and 21 single family. Mr. Schleicher added the construction of the homes will be similar, the patio home lots and homes will be smaller, 2,500-3,500 square feet compared to the single-family homes which will be approximately 4,300 square feet. Mr. Schleicher explained patio homes are not connected. Patio homes are detached having the master bedroom on the first floor.

Mr. Hansen asked how the location of sediment pond was determined. Mr. Schleicher explained the topography and the watercourses were used to decide the pond's location. Mr. Hansen asked the width of the buffer at the view from cul-de-sac. Mr. Schleicher replied it is a 40' buffer and used a tree marked as #29 as a reference.

Mr. Lombardo left the meeting at 8:49 pm.

Mr. Hansen stated this is a difficult decision. There is a clear benefit of having the developer improve the Brennan Road / Route 910 intersection, but he agrees with the argument the proposed development does not meet the character of the surrounding properties.

Mr. Welter asked about buffering and Mr. Schleicher explained there is a 40' buffer at the western boundary having existing trees. Mr. Schleicher stated they will enhance areas by adding trees and will not remove trees. Mr. Schleicher stated he is agreeable to adding trees along Cardinal Drive. Mr. Welter stated evergreens could be planted along the slope.

Ms. Gollick asked why the development couldn't exit directly onto Route 910. Mr. Schleicher replied the Brennan Road improvement paid by developer would not be done. Mr. Hansen cautioned adding another curb cut to Route 910 could adversely impact traffic and Mr. Schleicher agreed.

Motion was made by Mr. Welter and seconded by Mrs. Parker to recommend the Board of Supervisors grant Tentative approval of the Wexford Station P.R.D. plan drawings Cover, EX-1, RP-1, SG-1, CP-1, RD-1, LPR-1, EAC-1, REC-1, PCSM-1, PCSM-1, PCSM-1, PCSM-1 and PCSM-1 prepared by Gibson-Thomas Engineering dated December 14, 2017 and revised January 26, 2018 with the following conditions:

1. Compliance with the LSSE review letter dated February 8, 2018
2. Compliance with the EAC recommendation dated January 16, 2018
3. Compliance with the Parks and Recreation recommendation dated January 19, 2018 requiring a 6' asphalt trail and payment of a fee in lieu of the active recreation improvements required per Section §84-119 of the Code, fee amount to be determined

4. Township engineer to review closing of Brennan Road access to Route 910 and re-aligned section to determine additional improvements if necessary; hammerhead or cul-de-sac not with standing
5. North property line bufferyard to incorporate graded mounding with the proposed tree planting
6. Subject to review and approval of the PennDOT highway occupancy permit for the Brennan Road re-alignment
7. Water line is to be run to the edge of the property for future development

Mr. Welter, Mrs. Parker and Mr. McGeary voted aye, and Mr. Hansen voted nay on the motion. Motion carried.

Motion was made by Mr. Welter and seconded by Mr. McGeary to set the times and dates for the 2018 Planning Commission meetings for the second Monday of each month at 7:00 p.m., with an agenda session beginning at 6:30 p.m. The aye vote on the motion was unanimous. Motion carried.

ADJOURNMENT

Motion was made by Mr. Welter and seconded by Mrs. Parker to adjourn the meeting. The aye vote on the motion was unanimous. Motion carried. The meeting adjourned at 9:00 pm.