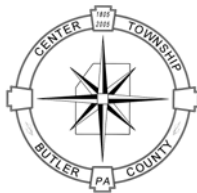


Board of Supervisors:  
Thomas Schiebel, Chairman  
Andrew Erie, Vice Chairman  
Ronald Flatt, Supervisor  
Kenneth Frenchak Jr, Supervisor  
Edward Latuska, Supervisor



Michael Gallagher, Solicitor  
Olsen & Associates, Engineer  
Anthony Amendolea, Secretary/Treasurer  
Mark Lauer, Public Works Director  
Richard Round, BCO/Zoning Official

**PLANNING COMMISSION**

Regular Meeting Minutes

July 27, 2011

6:30 p.m.

**CALL TO ORDER:**

The Regular Meeting of the Center Township Planning Commission was called to order by Vice Chairman Robert Sloan at 6:30 p.m. at the Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

**ROLL CALL:**

In addition to Sloan, present were members A J Lynd, Robert Paroli, and Cheryl Schaefer; Township Engineer Ron Olsen; and Township Secretary/Treasurer Anthony Amendolea. Chairman Kenneth Frenchak was absent.

**APPROVAL OF AGENDA:**

*Lynd motioned approving the agenda for the July 27, 2011 meeting, as presented. Schaefer seconded. Motion carried unanimously.*

**PUBLIC TO BE HEARD:**

1. Mrs. Barbara Webb, 351 W Sunbury Rd: Mrs. Webb previously subdivided Map and Parcel 2F63 1 creating a new parcel (2F63 1C) with a fifty foot (50') right-of-way on the east side with access to Holyoke Road. She desires to move the right-of-way to the west side of the parcel. She asked if a single right-of-way could serve two (2) properties. The Planning Commission suggested she apply to the Zoning Hearing Board requesting a variance for a right-of-way less than fifty foot (50').

**MINUTES:**

*Sloan motioned approving the minutes of the Regular Meeting held June 22, 2011. Lynd seconded. Motion carried unanimously.*

**OLD BUSINESS:** None

**NEW BUSINESS:**

1. Robert Kline, 554 Holyoke Road, Accessory Structure: Mr. Kline started constructing a pole building at 705 Holyoke Road (Map & Parcel 2F63 16E) which has a dwelling, mobile home, three (3) storage buildings, and a commercial storage unit. The property is split by Holyoke Road and lies in two (2) zoning districts: R-1A, Low Density Residential and M-2, Heavy Industrial District. Mr. Kline considers the proposed pole building an accessory to the dwelling. Building Code Official/Zoning Officer Round requests that you consider (1) the proposed structure is an accessory to the dwelling and (2) will Mr. Kline need your approval for the fourth accessory structure? Mr. Kline was not in attendance but the Planning Commission discussed the situation since Round posted a stop work order. The Planning Commission agreed that since the building is in the M-2, Heavy Industrial District, the regulations for the M-2 district should apply.
  
2. Concordia Lutheran Ministries, 1312 N Main St, Accessory Structure: The Concordia Lutheran Ministries proposes to construct a gazebo at 1312 North Main Street Extension (Map & Parcel S1 D). Mr. Dave Drane and Mr. Jim Diamond, representing Concordia Lutheran Ministries, request a waiver of the Land Development requirements in Center Township Codified Ordinances Chapter 14, Article III, Subsection 14-302. ***Lynd motioned to grant modification of the Land Development requirements per Center Township Codified Ordinances Chapter 14, Article III, Subsection 14-302 and connect the gazebo roof drains into the existing stormwater management system. Paroli seconded. Motion carried unanimously.***

**SUBDIVISIONS & LAND DEVELOPMENTS:**

1. Josh Isacco, 452 W Sunbury Rd, Minor Subdivision No. 11-07-05, Final Approval: Mr., Ron Cowen, Land Surveyors, Inc, presented a plan proposing to subdivide Map and Parcel 2F61 31 consisting of 84.82 acres (m/l) into lots consisting of 4.51 acres (m/l), 27.57 acres (m/l), 4.86 acres (m/l), and a residual consisting of 50.85 acres (m/l). Mr. Isacco proposes to build a single family dwelling on lot 2 consisting of 4.51 acres (m/l) with access to West Sunbury Road via a fifty foot (50') right-of-way. Mr. Isacco submitted a Sewage Facilities Planning Module Component 1. The module was submitted to the Department of Environment Protection on July 18, 2011 for approval. Township Engineer Olsen comments, dated July 26, 2011 were (*Mr. Cowen's comments are in italics*):
  - a. Existing parcel ID numbers for the 1.89 acre, 2.5 acre, and .047 acre lots should be identified. Current owners of these parcels should be denoted. *We have added the names and parcel I.D numbers for 1.89, 2.5, and .47 acre lots.*
  - b. Descriptions of actions proposed on the comment's section of application are consistent with notes on the location map, sheet 1 of 2. However, the 4.86 acre new Lot 3 is not accounted for. *The 1.89 acre is being combined with adjoining property of 2.5 and .47 acre creating a 4.86 acre.*
  - c. A note on Lot 4 of the plan states that Lot 4 is dedicated for the express purpose of agricultural use. Lot 4 is identified only on the location map. *Lot 4 is the remnant of the farm as shown on the location map I have shown its adjoining designation on the plan.*

- d. The plan shows an existing 10 foot cartway extending to Lot 2 approximately 960 linear feet from its intersection with West Sunbury Road. *No comment.*
- e. The Township's recently-enacted stormwater management ordinance may apply to this residential development if new impervious areas exceed 5,000 square feet. Any gravel driveways are defined in the ordinance as improved surfaces. *The new impervious area should be less than 5,000 square feet since the cartway which accesses Lot 2 is existing; therefore I have shown the Township standard proposed on-lot sump detail for the improved area.*
- f. The 50.85 acre remnant of Lot 4 was not surveyed. It either must be surveyed to establish its boundaries with metes and bounds or the Applicant may request a modification under Article III. *I am hereby requesting a modification under Article III for surveying the remnant Lot 4 to establish a metes and bounds description since there is not intent for any changes of use or sale of that portion of the property.*
- g. Any utility easements through Lot 1 to serve Lot 2 must be identified (Section 14-404 Subsection B-2b). *The proposed 50' private right-of-way will also serve for utility purposes and has been noted.*
- h. A cross-country electric line appears to cross Lot 1. It and any associated easement should be identified on the plan. *The West Penn Power Easement has been denoted.*
- i. Any existing or proposed well location on Lot 2 should be identified so that the 100' isolation distance between it and the on-lot sewage system can be maintained (Article VI, Section 14-604). *The approximate location of the proposed well for Lot 2 has been added to the plan. A well isolation note was already on the plan.*
- j. The building line (side yard) on the northern perimeter of Lot 1 should be measured from the proposed private right-of-way line (Zoning, Article V, Section 20-505). *The side yard building line on the north end of Lot 1 has been revised to be located 30' feet from the right-of-way line of the private right-of-way.*
- k. Sewage Facilities Planning Module must be submitted by the Applicant. *The Sewage Facilities Planning Module was already submitted to the Township.*

***Sloan motioned to grant modification of item f, aforementioned, as required by Center Township Codified Ordinances Chapter 14, Article IV, Subsection 14-403.G.1.b. Lynd seconded. Motion carried unanimously.***

***Lynd motioned recommending, with the contingency of the Department of Environmental Protection approval of the Sewage Facilities Planning Module, final approval of the Isacco Minor Subdivision No. 11-07-05. Paroli seconded. Motion carried unanimously.***

- 2. Dollar General, 1627 N Main St Ext, Land Development No. 11-07-06, Preliminary Approval: Mr. Bill Boron, Atwell, LLC, presented a plan to construct a 10,566 square foot Dollar General Store at 1627 North Main Street Extension (Map & Parcel S3 10) consisting of 1.73 acres (m/l). Mr. Boron submitted a Sewage Facilities Planning Module Component 3 which the Board of Supervisors must adopt a resolution prior to submission to the Department of Environmental Protection. Butler County Planning Commission, letter received July 25, 2011, has no comments. Township Engineer Olsen comments, dated July 15, 2011 were (*Mr. Boron's comments are in italics*):

- a. It appears to that site disturbance will be less than 1 acre, but is not labeled. If the site disturbance area exceeds 1 acre, the Erosion and Sedimentation Control Plan must be submitted for review and approval to the Butler County Conservation District. *Less than one (1) acre will be disturbed.*
- b. Potable water is shown on drawing CP-04 to be serving the site through property of the Salvation Army. If so, a private easement for the service line should be indicated. *Corrected on revised plan.*
- c. Likewise, a connection to a public sanitary sewer line manhole on property of the Salvation Army is also indicated. Sanitary Sewer lines of the Butler Area Sewer Authority (BASA) are commonly centered within a 20' public sanitary sewer easement. The Applicant should contact the BASA (724-282-1978) for verification that the sanitary sewers shown on the plan are public and that the Dollar General proposed connection can be made without procuring a private easement from the Salvation Army. *Will denote 20' sanitary sewer easement on revised plan.*
- d. Storm sewers shown on the plan as being out of the public road rights-of-way should be labeled "private". The flowline elevation and rim elevation shown on the storm sewers just east of SR008 should be checked for accuracy. We suggest that the routes of storm water and sizes of storm sewers shown on the "Existing Conditions Plan" CP-02 be verified. It is also unusual for a large storm sewer crossing SR008 not have its end defined by a storm inlet or manhole. We suggest that the Applicant contact the PaDOT District 10 Right-of-Way Department or Construction Department in Indiana, PA (724-357-2800) to request highway maps of this area. *Label storm sewers as private and sign agreement with the Township for maintenance.*
- e. There are storm sewers from the Salvation Army crossing into the Dollar General site and storm sewers of the Dollar General site crossing onto the property of the Salvation Army. In the past, engineers for Ken Fraser had approached the Township about filling in the site and at that time the Salvation Army and Mr. Fraser were intending to trade rights-of-way. The Applicant may wish to contact Mr. Fraser or the Salvation Army to determine if either have knowledge of this right-of-way trade. An alternative would be to conduct a title search at the Court House. If this right-of-way trade was not done, now may be the time to consider how maintenance of common elements may be shared. *No comment*
- f. The Township will need copies of comments from the Butler County Planning Commission. *Letter received July 25, 2011.*
- g. Driveway access from SR008 onto the site will require a PaDOT Highway Occupancy Permit. New interpretations by PaDOT of existing laws may require the Township to be a "co-permittee" for the Applicant's drainage connection to PaDOT culverts. This "co-permittee" designation may assign maintenance responsibilities to the Township. If so, the Township may want to request Solicitor Gallagher to prepare an agreement between the Township and the Applicant that would require drainage facilities on the private property to be maintained in perpetuity by the Applicant or his assigns. Recent announcements by PaDOT suggested that side agreements between private Applicants and local communities be recorded. Any questions regarding this should be addressed to PaDOT District 10 Permits Department in Indiana, PA (724-357-2800). *Requires the Township to apply as a co-permittee and sign an agreement with the Township for maintenance.*
- h. The Applicant has provided a Stormwater Management Narrative. However, attention is called to the recently-enacted Stormwater Management Ordinance Chapter 21 of the Township Codified Ordinance and especially paragraph 21-304. Design Storm Method CG-1 in the PaDEP BMP Manual is applicable to any watershed over 1 acre and a requirement is that measures be taken by the Applicant to not increase post-development runoff volume when compared to the predevelopment total runoff volume for the 2 year/24 hour storm event. *Address stormwater management per recently enacted ordinance.*

If regulated activities are less than 1 acre, the Simplified Method CCG-2 in the PaDEP BMP Manual may be used. This requires at least the first 1 inch of runoff from new impervious

surfaces to be permanently removed from the runoff flow. Permeability tests are needed and at least 0.5" of the permanently-removed runoff shall be infiltrated.

A chart of 24 hour rainfall events for various return intervals is presented in paragraph 21-702.

- i. A copy of a Sewage Facilities Planning Module has been submitted to the Township. Under section B (Municipality Information) the Municipality Contact individual should be changed to Anthony Amendoleos. Section C must include a detailed written description of how to get to this site (from the City of Butler) and a description of the site must be provided. The Applicant must insert the number of EDU's he is adding. 1EDU=400 gpd for planning purposes. Note that the BASA has a different definition of a EDU for fee purposes when a sewerage permit is applied for. The BASA must complete section G.2.b. *Submission of the Sewage Facilities Planning Module to Department of Environmental Protection.*

A PADEP Plot Plan must be prepared by the Applicant (similar to the site plan), but appropriately labeled as "DEP Plot Plan".

Documentation of Historic Preservation Act Compliance must be attached.

Component 4B must be submitted to the Butler County Planning Commission for completion and the completed section made part of the Module submitted back to Center Township.

Although Section J was not checked-marked for completion, we believe it should have been and that the Butler Area Sewer Authority should complete and sign this section. Once completed original and two complete copies of the modules should be delivered to the Township. The Township Planning Commission must complete and sign Component 4A. The Township Supervisors will complete its resolution and submit the original and one copy to DEP.

- j. Attention is called to the fact that this review has been made for compliance with requirements for Preliminary Approval and that additional requirements must be addressed for Final Approval. The Applicant should review Codified Ordinance Chapter 14 for requirements for Final Approval.

Building Code Official/Zoning Officer Round provided the following comments (*Mr. Boron's comments are in italics*):

- a. It appears Type A screening may be necessary on the east side of the plan. See §20-1306 and §20-905.A.4 of Zoning Ordinance. *Screening will be shown on revised plan.*
- b. It appears high voltage overhead electric lines pass over the east side of the proposed structure. Common sense tells me West Penn Power is not going to permit this. *Will contact West Penn Power.*
- c. It appears traffic can use the site to pass through from Sunset to Rt. 8. This is not permitted by §14-602.D of the Land Development Ordinance. *Has been addressed.*
- d. When leaving the site on the Sunset side, sight distance looking north on Sunset is questionable. *Has been addressed*
- e. How are they going to deal with storm water? *Has been addressed*
- f. When the existing underground storm water piping fails (and someday it will) who is responsible for subsidence damage and repairs. I have been told this system is 60-80 feet deep. It appears the system runs within 10-15 feet of the proposed structure, along with running smack through the middle of the parking area, Repairs to the storm drain will be \$\$\$\$\$\$. There must be a written

agreement worked out between the land owner, business owner, and Township before any plan is approved. *Has been addressed*

***Sloan motioned recommending preliminary approval contingent on the completion of items a, c, d, g, h, and i of Township Engineer Olsen's comments and items a and b of Building Code Official/Zoning Officer Round's comment. Lynd seconded. Motion carried unanimously.***

**MISCELLANEOUS:** None

**ADJOURNMENT:**

***A motion was made by Lynd to adjourn the Regular Meeting at 8:08 p.m. Schaefer seconded. Motion carried unanimously.***

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ANTHONY A. AMENDOLEA  
Township Secretary/Treasurer