

Board of Supervisors:  
Ronald Flatt, Chairman  
Andrew Erie, Vice Chairman  
Kenneth Frenchak Jr, Supervisor  
Edward Latuska, Supervisor  
Philip Wulff, 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  
September 26, 2012  
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 6:31 p.m. at the Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

**ROLL CALL:**

Present, in addition to Sloan, were members Neil Ashbaugh, Robert Paroli and Cheryl Schaefer; Township Engineer Ron Olsen; and Township Secretary/Treasurer Anthony Amendolea. Chairman Kenneth Frenchak arrived at 6:37 p.m.

**APPROVAL OF AGENDA:**

*Ashbaugh motioned approving the agenda for the September 26, 2012 meeting, as presented. Schaefer seconded. Motion carried unanimously.*

**PUBLIC TO BE HEARD:** None

**MINUTES:**

1. Regular Meeting Minutes - August 22, 2012: *Paroli motioned approving the minutes of the Regular Meeting held August 22, 2012. Schaefer seconded. Motion carried unanimously.*

**SUBDIVISIONS & LAND DEVELOPMENTS:**

1. Spiece Minor Subdivision No. 2012-09-08, 105 Lions Road, Final Approval, Expires 12/25/2012: Ms. Diane Spiece presented a plan to subdivide Center Township Map 060-3F43-30C consisting of 3.56 acres (m/l) into two (2) lots consisting of 1.86 acres (m/l) and 1.70 acres (m/l). Since sewage application number 7740 was denied on March 26, 2010, a Sewage Facilities Planning Module will be submitted to the Department of Environmental Protection for approval of a small flow treatment facility. The Board of Supervisors is required to enter into a maintenance agreement and adopt a resolution prior to submission. Butler County Planning Commission had no comments per letter dated September 12, 2012. Township Engineer Olsen comments are, as follows (*Ms. Cheryl Hughes, Land Surveyors, Inc, comments are italicized*):
  - a. The property is zoned R-1A. Lot geometry of the two parcels meets zoning requirements, but lot areas must exclude external street rights-of-way

(Chapter 20, Art 11 20-202.20). (Lot area calculation to R/W has been added to the plan.)

- b. The Applicant should show any existing rights-of-way and easements, adjacent underground utility lines, and acreage of all parcels and lot identification numbers (Chapter 14, Article IV G.1.C.). Each parcel should have a lot number. (Each Lot does have a lot number and Tax I.D. numbers have been added.)
- c. The existing concrete block building, if constructed prior to enactment of the Township Floodplain Ordinance, should be labeled as an existing non-conforming structure. (Concrete building has been labeled as an existing non-conforming structure.)
- d. A 75' clear sight triangle should be added to the plan at the intersection of Lions Road and Benbrook Road (14-404.B.C.). (A 75' clear sight triangle easement has been added.)
- e. The Applicant states that a sanitary sewage treatment system with stream discharge will be constructed for the proposed new lot. Sewage Facilities Planning Modules should be submitted to the Township. Special procedures for performance security and effluent testing will apply. (Sewage Planning was prepared by John DeLacio.)
- f. The Applicant should acknowledge that a 30" diameter corrugated metal culvert under SR 3007 discharges onto the property being subdivided. We recommend (but do not require) that the Applicant retain professional assistance in contending with this stormwater discharge which is shown to be directed to an 18" tile storm sewer flowing under the proposed new house location. Center Township will not want to be a co-permittee for any State Highway Occupancy Permit that may be required for the drainage structure. (No comment.)

Mrs. Spiece acknowledges that existing storm water discharge from Benbrook Road (SR 3007) onto the subdivided property is her or property owner responsibility. The Township will not be a co-permittee for any State Highway Occupancy Permit required.

***Sloan motioned recommending, with contingencies of (1) deleting the impact fee statement and (2)receiving Department of Environmental Protection approval of the Small Flow Treatment Facility, granting final approval of the Spiece Minor Subdivision No. 2012-09-08. Paroli seconded. Motion carried unanimously.***

- 2. Blossom Ridge Major Subdivision No. 2012-09-09, Crab Apple Drive, Preliminary/Final Approval, Expires 12/25/2012: Mr. Dennis Beblo, D & D Beblo Inc, presented a plan to subdivide Center Township Map 060-S21-D221 consisting of 1.07 acres (m/l) into two (2) lots consisting of .567 acres (m/l) and .503 acres (m/l). In addition, Mr. Beblo will subdivide Center Township Map 060-S21-D229 consisting of 2.192 acres (m/l) into three (3) lots consisting of .55 acres (m/l), .506 acres (m/l), and 1.136 acres (m/l). Butler County Planning Commission had no comments per letter dated September 20, 2012. Township Engineer Olsen comments are, as follows (Mr. Mike Ogin, The Gateway Engineers, Inc, comments are italicized):
  - a. Current zoning yard setbacks for R-2 are listed on the drawing and yard setbacks are now shown on the existing and proposed lots shown on the plan. (Meets current setbacks.)
  - b. The Applicant has not provided information regarding what types of buildings will be constructed on the lots being shown on this plan. If one and two families residences, no bufferyard screening will be required

along the Margate Manor Plan. If multifamily units are proposed, Type C screenings will be required to be shown on the plan. *(Since single family dwellings are proposed, bufferyards are not required.)*

- c. The Applicant has placed a note on the plan that this project was granted preliminary approval under a prior ordinance. Initially there were four lots where there are now proposed five lots. In 2006, a subdivision plan was submitted that consolidated these four lots into two lots, so this subdivision plan is creating three new lots. Any substantial changes in the plan as depicted on the Final Plan submission from that depicted on the Preliminary Plan could warrant the resubmission of preliminary plans meeting current ordinances. We recommend that this be discussed at the Planning Commission and Board of Supervisors meeting. The significance of this is that if the Applicant must start over again with preliminary approval, then all current ordinances would apply to the submission including the new Stormwater Management Ordinance. The Applicant is showing the standard on-lot Stormwater Detention Sump detail on the plans and from an engineering point-of-view, we believe the on lot sumps should provide adequate stormwater management. If at all possible, we recommend that strong consideration be given to declare that the Preliminary approval is still valid. Unless the proposed scope of the development is significantly changing, this decision will save both the Developer and Township much time and cost.

After some discussion, the Planning Commission, with Township Engineer Olsen's recommendation, agreed to re-ratify the preliminary approval of Blossom Ridge Phase II development.

- d. The Township Subdivision and Land Development Ordinance requires that underground utilities and storm sewers be depicted on the plans 14-403.G.1.C. *(Will be added.)*
- e. A letter of approval from the Sewer Authority should be provided, including the means serving Lot 228B via a private easement over Lot 228A. We do not believe notes 5 and 6 are clear enough in defining how Lot 2228B will be served with sanitary sewer service. *(Letter from the Butler Area Sewer Authority will be submitted.)*

***Sloan motioned recommending re-ratification of the preliminary approval of Blossom Ridge Phase II development. Frenchak seconded. Motion carried unanimously.***

***Ashbaugh motioned recommending, with contingencies of (1) underground utilities and storm sewers are depicted on the plan, (2) the submission of letter from Butler Area Sewer Authority approving the sewer lines, and (3) add note to plan reflecting Lots 228A and 228B will have a private sewer easement. Paroli seconded. Motion carried unanimously.***

**OLD BUSINESS:**

1. 164 South Benbrook Road Stormwater Management Waiver Request: Mr. William McGarvey submitted a request for waiver of stormwater management at 164 South Benbrook Road (Center Township Map 060-3F43-7DB). He states, "coverage on parcel 7DB will be changed from row crops to a grass cover area around the new house which is being constructed more than 100 feet from any down gradient property. With this change in planting the runoff from all storms will be decreased and will increase the possible infiltration into the ground water. This planting change will result in an equal or better means of complying with the intent of the stormwater ordinance." Township Engineer Olsen comments are, as follows:

- a. Under no circumstances shall the Applicant be exempt from implementing such measures as necessary to:
  - 1) Meet State Water Quality Standards and Requirements.
  - 2) Protect health, safety, and property.
  - 3) Meet special requirements for High Quality (HQ) and Exceptional Value (EV) watersheds.
  
- b. The Applicant agrees that the following PaDEP Best Management Practices (BMPs) will be utilized to the maximum extent practical to receive consideration for the exemption:
  - 1) Design around and limit disturbance of Floodplains, Wetlands, Natural slopes over 15%, existing native vegetation, and other sensitive and special value features.
  - 2) Maintain riparian and forested buffers.
  - 3) Limit grading and maintain non-erosive flow conditions in natural flow paths.
  - 4) Maintain existing tree canopies near impervious areas.
  - 5) Minimize soil disturbance and reclaim disturbed areas with topsoil and vegetation.
  - 6) Direct runoff to pervious areas.
  
- c. The Applicant agrees that the proposed development/additional impervious area will not adversely impact the following:
  - 1) Capacities of existing drainage ways and storm sewer systems.
  - 2) Velocities and erosion.
  - 3) Quality of runoff if direct discharge is proposed.
  - 4) Existing known problem areas.
  - 5) Safe conveyance of the additional runoff.
  - 6) Downstream property owners.
  
- d. If the project results in a condition where diffused flow is concentrated and discharge onto adjacent property, the Applicant agrees adequate downstream conveyance facilities exist to safely transport the concentrated discharge, or otherwise prove that no erosion, sedimentation, flood, or other harm will result from the concentrated discharge. Furthermore, if applicable:
  - 1) Applicant will provide an easement for proposed concentrated flow across adjacent properties to a drainage way or public right-of-way.
  - 2) Such stormwater flows shall be subject to the requirements of Center Township Stormwater Management Ordinance No. 2011-05-02 as set forth in Codified Ordinance Chapter 21.
  
- e. The building structure of the Applicant will be set back a minimum of 75 feet from downstream property lines.

- f. Runoff from proposed driveway surfaces must discharge onto a pervious surface with a gravel strip along the edge of the driveway or other spreading device and that no more than 1,000 square feet of paved or gravel driveway surface may discharge to any one point. The length of flow on the pervious surface must exceed the length of paved surface flow.
- g. The Applicant is required by the Stormwater Management Ordinance to pay a Municipal Review Fee to cover costs of administrative, clerical, review of site plans, preconstruction meetings, inspection of stormwater management, final inspection, and any additional work required to enforce any permit provisions, correct violations and assure proper completion of stipulated remedial measures.

In acknowledging these conditions, the Applicant agrees that if the Township determines that the Applicant has not adhered to the conditions, as stated above, that the exemption granted to stormwater management requirements of Codified Ordinance Chapter 21 shall be considered void and the Applicant is subject to all provisions of Center Township Codified Ordinance Chapter 21.

*Sloan motioned recommending, based on Township Engineer Olsen's recommendation, approval of the stormwater management waiver request for 164 South Benbrook Road (Center Township Map 060-3F43-7DB). Paroli seconded. Motion carried unanimously.*

**NEW BUSINESS:**

1. Community Development Center: The Community Development Center cancelled their meeting for October 10, 2012. Township Engineer Olsen recommended contacting Mr. Raybuck to schedule a meeting. Frenchak stated he would send letter to either schedule for an upcoming Planning Commission Meeting or meet with the Planning Commission and Board of Supervisors.

**MISCELLANEOUS:**

1. Baxter Mobile Home Park Development: Sloan acknowledge receipt of the providing sewers for existing home of Mr. Robert Baxter.
2. Cocca Development: Frenchak stated Cocca Development has interested individuals to move in the vacant Dollar General location at 1698 North Main Street Extension (Center Township Map 060-S4-17AB).
3. Frenchak's Letter of Resignation: Sloan acknowledged the receipt of Frenchak's desire not to be appointed to another four (4) year term to the Planning Commission.

**ADJOURNMENT:**

*A motion was made by Sloan to adjourn the Regular Meeting at 7:34 p.m. Frenchak seconded. Motion carried unanimously.*