

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



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

PLANNING COMMISSION
Regular Meeting Minutes
March 27, 2013
6:30 p.m.

CALL TO ORDER:

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

ROLL CALL:

Present, in addition to Chairman Sloan, were Vice Chairman Neil Ashbaugh; members Cheryl Schaefer and Lloyd Eagal; Township Engineer Ron Olsen; and Secretary/Treasurer Anthony Amendolea. Member Brad Cavaliero arrived at 6:35 p.m.

APPROVAL OF AGENDA:

Ashbaugh motioned approving the agenda for the March 27, 2013 meeting, as presented. Schaefer seconded. Motion carried unanimously.

PUBLIC TO BE HEARD: None

MINUTES:

1. Regular Meeting, February 27, 2013: *Schaefer motioned approving the minutes of the Regular Meeting held February 27, 2013. Eagal seconded. Motion carried unanimously.*

OLD BUSINESS:

1. Agricultural Accessory Structures: Olsen received a memo from Building Code Official/Zoning Officer Round concerning agricultural accessory structures being exempt for approval. Round states he could not find any reference in the ordinances.
2. New Planning Commission Member: Sloan welcomed Brad Cavaliero to the Planning Commission.

NEW BUSINESS:

1. Terry Elliott, 5178 Elliott Road, 3rd Accessory Structure: Mr. Terry Elliott, 5178 Elliott Road, was not present at the meeting. ***Sloan motioned tabling the Terry Elliott's third accessory structure request due to no representation. Schaefer seconded. Motion carried unanimously.***
2. Ray Johnston, 108 Heritage Lane, 3rd Accessory Structure: Mr. Ray Johnston, 108 Heritage Lane, was not present at the meeting. ***Sloan motioned tabling the Ray Johnston's third accessory structure request due to no representation. Eagal seconded. Motion carried unanimously.***
3. Wanda Brown, 201 Mahood Road, 3rd Accessory Structure: Ms. Wanda Brown, 201 Mahood Road, proposes to construct a detached garage on Center Township Map 060-3F41-9A. She will remove two (2) sheds prior to constructing the garage. ***Cavaliero motioned, contingent on (1) the removal of two (2) sheds and (2) revise location of the proposed garage on the plot plan, approving the construction of a third accessory structure on Center Township Map 060-3F41-9A. Eagal seconded. Motion carried unanimously.***

SUBDIVISION & LAND DEVELOPMENTS:

1. Meadowbrook Apartments Land Development No. 2013-03-04, Final, Expires 05/27/2013: Mr. Tony Sadaka and Mr. Stan Zapadka, Widmer Engineering, proposes to combine Center Township Maps 060-S17-BA (14.49 acres (m/l)) and S17-BB (1.86 acres (m/l)). T & R Butler Limited Partnership proposes to construct (1) two (2) sixteen (16) unit two (2) bedroom apartment buildings; (2) two (2) six (6) unit townhouses; and (3) three (3) enclosed parking garages. The Department of Environmental Protection, March 1, 2013, approved Sewage Module Component 3 (N6-13-021). Application has been submitted to the Butler County Conservation District for the National Pollutant Discharge Elimination System permit. Township Engineer Olsen, letter dated February 27, 2013, comments are, as follows (*Mr. Tony Sadaka, Widmer Engineering, comments are italicized*):
 - a. Letters of service should be provided by the Applicant as received from the Butler Area Sewer Authority and the Pennsylvania American Water Company. (*We have provided letters of service availability from (a) the Butler Area Sewer Authority, (b) Peoples TWP and (c) Pennsylvania American Water Company.*)
 - b. An Opaque Screen – Type A is required between the proposed multi-family use and existing single family uses per Chapter 20-1306. The Applicant should provide details of this bufferyard *I* screening, whether existing or proposed. (*The Geometric Control/Grading & Drainage Plan for Project Site No. 3 on Sheet No. LD-9 of 18 has been revised to reflect the installation of an Opaque Screen – Type A along the split rail fence adjacent to the property line. We have also provided aerial photographs showing existing opaque screens in the vicinity of Project Site Nos. 4 and 5.*)
 - c. A minimum twenty (20) foot wide drainage easement shall be provided for the watercourses that exist on the property. (Stormwater Management Ordinance Chapter 21-301-I) (*A twenty foot drainage easement has been provided on Sheet No. LD-1 of 18 for the sole natural on-site*

watercourse located in the southwest corner of the parcel adjacent to Wetland Conservation Area "A".)

- d. A minimum twenty (20) foot wide access easement should be shown around all proposed stormwater management facilities including the infiltration basin, rain gardens, and infiltration sumps. (Article VIII.802.A.18) It also appears that the access route to the infiltration basin is through the adjacent Brooksedge Estates Plan. This also should be indicated on the plan along with access routes for the other facilities. The easements must be on a plan that is recorded. *(Twenty foot and variable width easements for all proposed stormwater management facilities have been placed on Sheet Nos. LD-7, 8 & 9 of 18. All drainage and sanitary sewer easements shown on Sheet No. LD-1 of 18, including the easements to and around the stormwater detention pond & infiltration basin, are existing easements. These easements are shown on the Property Subdivision Plan, recorded on August 11, 1994 and contained in Butler County Plan Book 176, Page 6.)*
- e. The submitted volume calculations do not represent the entire site. The entire site as indicated as part of the peak rate calculations should include all of the Meadow Brook Apartments, the Brooksedge Estates, and the Brookstone Condominiums. Note that only 20% of the existing impervious area needs to be counted as meadow in good condition, per the Act 167 Stormwater Management Ordinance. The excess volume of the detention pond should either be proven to be adequate or enlarged as necessary. (Stormwater Management Ordinance Chapter 21-304-B) *(The Center Township Planning Commission granted a modification to this comment during the February 27, 2013 meeting. As such, this comment has been resolved.)*
- f. The various notes and statements required by the Stormwater Management Ordinance Chapter 21-802-A.22 must be added to the plan set including signature blocks for the design and reviewing engineers. *(The notes and statements have been placed on Sheet No. LD-1 of 18.)*
- g. Worksheet 2 indicates that 5.30 acres of the site are being protected from development. An easement should be provided around this area appropriately labeled permanently protecting these areas from future development. *(The easement area and language has been placed on Sheet No. LD-1 of 18.)*
- h. The existing detention structure outlet works detail should be revised to indicate that a watertight connection will be made where extending the 15- inch discharge pipe and it should also be demonstrated that the connection will not fail due to buoyancy. *(A concrete anti-seep collar has been placed at the point of connection. The construction of the outlet control structure base has been revised to ensure that separation due to buoyancy does not take place.)*
- i. The proposed plan indicates roof drains at a slope of 0.3%. The Applicant should confirm with the building permit officer that these slopes and pipe sizes meet the Uniform Construction Code. *(The building permit officer has indicated that the roof drains must be designed with a minimum 0.50% slope and must be capable of passing a flow of 3 fps. We have increased the slopes accordingly and have confirmed flow capabilities. A calculation spreadsheet is attached.)*
- j. The Applicant must enter into a stormwater management maintenance agreement with the Township. (form located in Appendix) *(Concur. We have provided the Developer with the appropriate Form.)*
- k. The Applicant should submitted a cost estimate for Township required improvements, which include stormwater management, pavement, landscaping, water lines, sanitary sewers (if proposed to be private), and storm sewers. The Applicant should provide a performance security in the amount of 110% of the cost within 90 days of the date of Final Approval to guarantee completion of the proposed improvements. Requests for partial release may be

submitted by the Applicant as work is completed. (*Concur. We have made the Developer aware of this requirement and have provided him with a quantity takeoff for each project site.*)

1. The Applicant should enter into a Developers Agreement with the Township. (*Concur. We have made the Developer aware of this requirement.*)

Sloan motioned, contingent on (1) Butler County Conservation District's approval of the National Pollutant Discharge Elimination System permit; (2) provide construction cost calculations for required performance security; (3) provide deep mine assessment to the Township; and (4) entering into a Developer's Agreement with the Township, recommending final approval of the Meadowbrook Land Development No. 2013-03-04. Ashbaugh seconded. Motion carried unanimously.

MISCELLANEOUS:

1. Chapter 20, Article V.I Review: At the Board of Supervisors meeting held on March 13, 2013, the Board placed a moratorium on the land development requirement set forth in Center Township Codified Ordinances Chapter 20, Article V.I, Section 20-5.107, Subsection C. Based on the Township Solicitor's opinion, the Board could lose in court if the requirement for land development was challenged. Since Act 13 is still under appeal, the Supreme Court ruling could affect the current requirement of the land development. Consensus of the Planning Commission is to review Chapter 20, Article V.I, Section 20-5.107, Subsection C, with assistance from Jeff Pearce, Olsen and Associates, and make a recommendation at the next meeting scheduled for Wednesday, April 24, 2013.
2. McDonald's Restaurant, 102 Clearview Circle: Olsen received a request for information on storm sewers from Ms. Ellen Kucjarik, MDM, LLC, Project Engineer, for McDonald's Restaurant. He informed her that the Township will not grant an exemption or waiver from Chapter 21 due to stormwater problems on the west side of State Route 8 from the mall.

ADJOURNMENT:

Sloan motioned to adjourn the Regular Meeting at 8:07 p.m. Ashbaugh seconded. Motion carried unanimously.

ANTHONY A. AMENDOLEA
Township Secretary/Treasurer