

Board of Supervisors:
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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

August 28, 2013

6:30 p.m.

CALL TO ORDER:

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

ROLL CALL:

Present, in addition to Vice Chairman Ashbaugh, were; members Brad Cavaliero, Cheryl Schaefer, and Thomas Schiebel; Township Engineer Ron Olsen; and Secretary/Treasurer Anthony Amendolea. Chairman Robert Sloan was absent.

APPROVAL OF AGENDA:

Schiebel motioned, adding in Miscellaneous, Item 1, "Fees for Portable Speed Bumps", to amend the agenda for the August 28, 2013 meeting. Cavaliero seconded. Motion carried unanimously.

PUBLIC TO BE HEARD:

1. Mr. George Aubrey, 340 North Main Street: Mr. Aubrey and Mr. Robert Brennan, Brennan Builders, Inc, request a possible amendment to the R-2, Multi-Family Zoning District by changing the density of eight (8) townhouses per acre. Units could be constructed under the Condominium Act but individuals are having difficulty financing condos. If the density is modified, individuals could own the property/unit as "fee simple".

MINUTES:

1. Regular Meeting, July 24, 2013: *Cavaliero motioned approving the minutes of the Regular Meeting held July 24, 2013. Schaefer seconded. Schiebel abstained. Motion carried 3 to 0.*

OLD BUSINESS:

1. Meadow Brook Apartments Stormwater: Mr. Butch Williams and Mr. John Rowan desires to change their stormwater management plan by ~~not~~ (as corrected 09/25/2013) installing the approved "rain gardens". In addition, Mr. Williams proposes to install seepage pits and replace pipes with swales that consist of one percent (1%) slope. Butler County Conservation District agrees with the proposed change. Township Engineer Olsen stated the change still meets the requirements of Center Township Codified Ordinances Chapter 21, Stormwater Management. **Schiebel motioned, based on Mr. Butch Williams and Olsen's recommendation, accepting the alterations to the Meadow Brook Apartments Stormwater plan. Schaefer seconded. Cavaliero opposed. Motion carried 3 to 1.**

SUBDIVISION & LAND DEVELOPMENTS:

1. McDeavitt Major Subdivision No. 2013-08-10, 6 Lots, N Benbrook Rd, Preliminary/Final, Expires 11/25/2013: Mr. Ronald McDeavitt presented a plan to create six (6) lots from Center Township Maps 060-2F106-14/15, 060-2F106-14/18, 060-2F106-14/20, and 060-2F106-14/21 consisting of 10.52 acres (m/l). Butler County Planning Commission, per letter dated August 23, 2013, had no comments. Butler Area Sewer Authority's comments are, per letter dated June 28, 2013:
 - a. Existing manhole located in front of Lot 3 (MH 7569) is labeled incorrectly as MH 3569. Correct this on the plan;
 - b. As previously discussed, an Agreement dated April 9, 2008 between Ruth Knies Sutton and Helen B. McDeavitt created a 50' easement extending along the north property line, northward to Sunset Drive. This easement was created only for those portions of the properties where the former Sutton (now Stewart and Shakely) and McDeavitt properties abutted, and the plan shows this easement running through Lot 6 and the abutting properties. As such, the 30' utility right of way proposed through Lot 1 should be extended to the southern limit of the April 9, 2008 Agreement, to provide gravity sanitary sewer service to the D. Stewart property to the sanitary main located in Benbrook Road;
 - c. The Developer (McDeavitt), not the future owners of the lots within the plan, will be required to install the sanitary sewer lateral to each proposed lot in the subdivision. The Authority will not issue a Sanitary Sewer Connection Permit for any lot unless and until the sewer lateral has been installed by the Developer for that specific lot as follows:
 - 1) Lot 1 and Lot 2: Tap the mainline with an 8" x 6" wye fitting, install 10 lf of 6" SDR 35 PVC, an Inspection Tee in accord with BASA Drawing No 14, and cap the end of the line;
 - 2) Lot 3: Core Drill MH 7569, install a water-tight flexible manhole coupling, install 10 lf of 6" SDR 35 PVC pipe, and cap the end of the line;
 - 3) Lot 5: Tap the mainline with an 8" x 6" wye fitting, and install 6" SDR 35 PVC pipe as required to get the building sewer to the Lot 5 property line. Inspection tees in accord with BASA Dwg. No. 14 must be installed within 10 feet of the mainline and at the property line between Lot 4 and Lot 5. Cleanouts in accord with BASA Dwg. No. 13 must be installed on the building sewer with spacing requirements in accord with BASA regulations and UCC Plumbing Code requirements;
 - 4) Lot 6: Tap the mainline with an 8" x 6" wye fitting, and install 6" SDR 35 PVC pipe as required to get the building sewer to the Lot 6 property line. Inspection tees in accord with BASA Dwg. No. 14 must be installed within 10 feet of the mainline and at the property line between Lot 1 and Lot 6. Cleanouts in accord with BASA Dwg. No. 13 must be installed on the building sewer with spacing requirements in accord with BASA regulations and UCC Plumbing Code requirements.

- Add these requirements to the drawings, showing the approximate locations of the Inspection Tees and Cleanouts as appropriate;
- d. Add BASA Dwg. Nos. 13 and 14 to the plan; and
 - e. All newly installed sewer lines must be pressure tested by the installer in the presence of an Authority representative. Add a note to the plan.

Township Engineer Olsen's comments are (*Mr. Ron Boles' comments are italicized*):

- a. The purpose of the plan is to divide an existing 10.52 acre parcel into six (6) lots (5 new building lots). By definition, this is a major subdivision, which requires preliminary and final approval.
- b. Sewage Facilities Planning Modules or a request for an exemption must be submitted by the Applicant. (*Sewage Facilities Planning Module is submitted for approval*)
- c. The Applicant must show existing driveways, buildings, storm sewers, culverts, fire hydrants, and significant man-made features within 200 feet of the tract boundaries (Section 14-403.3). If sanitary sewer service has been installed to the house on Lot 4, that pipe should be shown. (*Revisions were made*)
- d. The property is in an R-1 zone; lot areas must be a minimum of 0.5 acre exclusive of adjoining road rights-of-way. Minimum frontage on a public road is 100.00 feet. After carefully studying the submitted data, the new lots meet these requirements. However, the labeling of the lots can be improved.
 - 1) We suggest that the Applicant better label the edge of road right-of-way. (*Revision was made*)
 - 2) An existing sanitary sewer line appears to be located under the edge of the road right-of-way; using the same symbol for "property corner," "manhole," and "proposed inspection tee" makes the plan confusing. The surveyor should use different symbols to make the drawing clearer. (*Revisions were made*)
- e. A submitted copy of a letter from the Pa. American Water Company states that a public waterline will be extended to serve these lots. The Applicant should show the location and size of existing and proposed waterlines. If a fire hydrant is being proposed, its location should be shown and it must be approved by the Township, which pays yearly hydrant fees to the Water Company. The construction of waterlines will not have to be bonded by the Applicant, since proposed lot sizes are not dependent on the lots being served by public water (Section 14-403.3.L)
- f. The submitted copy of a letter by the Butler Area Sewer Authority states that the Applicant is responsible for making service line connections to the main sewer line and extending service lines to the new lots. If the Applicant does not want to provide performance security for the completion of these work items, then the Applicant could request and receive preliminary subdivision approval from the Township and install these improvements prior to requesting and receiving Final Plan Approval from the township. Otherwise, performance security for this work should be posted by the Applicant to the Sewer Authority. (*Awaiting proposed construction costs*)
- g. The Township has generally supported the goal of having public utilities extended to areas of the Township where these public utilities are needed by the residents. The Township has been promoting public water and public sewer service in this specific area of the Township for many years. The easement agreement between Sutton/Kniess and McDeavitt declared that these parties wished "to declare a fifty (50) foot-wide perpetual easement and right-of-way through their respective properties for pedestrian and vehicular traffic, drainage, and utilities running to and from Sunset Drive." We construe the utility reference of this statement to support the 30' portion of the easement through lot 1 and lot 6 being labeled as a "public utility easement" and the 50' portion of this right-of-way also being labeled a "public utility easement." At the discretion of the Applicant, it can also be noted as a drainage and access easement for the benefit of now or formerly A. Shakely, D. Stewart, and the future owners of lots 1 and 6 in any deed conveyances. We suggest that any extensions of sewer and water (and any other utilities) in this right-of-way be designed as public utility extensions. If there is any chance that Stewart, Shakely, or others along Sunset Drive need public water or sewer, then the construction of BASA and Pa. American Water facilities in the previously-mentioned right-of-way should be designed and constructed as public utility extensions. (*Revisions were made*)

- h. The Applicant should contact the Butler County Conservation District regarding the preparation of an Erosion and Sediment Control Plan and whether an NPDES Permit will be required for this Subdivision (Section 14-404.C.4). *(Application was submitted)*
- i. The Applicant should provide a letter from the Butler Area Sewer Authority approving sewer design. *(Sewage Facilities Planning Module must be submitted to the Department of Environmental Protection)*
- j. The Applicant should submit the plan to the Butler County Planning Commission for review. *(Butler County Planning Commission had no comments per letter dated August 23, 2013)*

Cavaliero motioned, contingent on (1) receipt of the NPDES permit from Butler County Conservation District, if needed, and (2) Department of Environmental Protection's approval of Sewage Facilities Planning Module N6-13-002, recommending preliminary approval of the McDeavitt Major Subdivision No. 2013-08-10. Schaefer seconded. Motion carried unanimously.

NEW BUSINESS:

- 1. McDeavitt Sewage Facilities Planning Module N6-13-002: Mr. Ronald McDeavitt is required to submit a Sewage Facilities Planning Module Component 3 (N6-13-002) to the Department of Environmental Protection for approval. ***Cavaliero motioned recommending acceptance of the McDeavitt Sewage Facilities Planning Module N6-13-002. Schaefer seconded. Motion carried unanimously.***

MISCELLANEOUS:

- 1. Fees for Portable Speed Bumps: Cavaliero suggests fees be considered for the placement of portable speed bumps to cover the costs.
- 2. Appointment of Thomas Schiebel: Ashbaugh welcomed Schiebel to the Planning Commission.

ADJOURNMENT:

Schaefer motioned to adjourn the Regular Meeting at 7:44 p.m. Schiebel seconded. Motion carried unanimously.

ANTHONY A. AMENDOLEA
Township Secretary/Treasurer