

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



Anthony Amendolea, Secretary/Treasurer
 Michael Gallagher, Solicitor
 Olsen & Associates, Engineer

<p>PLANNING COMMISSION Reorganization/Regular Meeting Minutes January 28, 2015 6:30 p.m.</p>
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CALL TO ORDER:

The Reorganization Meeting of the Center Township Planning Commission was called to order by Thomas Schiebel at 6:34 p.m. at the Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

ROLL CALL:

Present, in addition to Schiebel, were members Neil Ashbaugh, Brad Cavaliero, Kasey McCollough; Township Engineer Ron Olsen; and Secretary/Treasurer Anthony Amendolea.

REORGANIZATION

APPOINTMENTS:

1. Chairman: *Schaefer motioned appointing Thomas Schiebel as Chairman. McCollough seconded. Schiebel abstained. Motion carried.*
2. Vice Chairman: *Schiebel motioned appointing Neil Ashbaugh as Vice Chairman. Schaefer seconded. Ashbaugh abstained. Motion carried.*
3. Secretary: *Ashbaugh motioned appointing Brad Cavaliero as Secretary. Schiebel seconded. Cavaliero seconded. Motion carried.*

ESTABLISHING MEETING DATES, TIME, AND LOCATION:

Schiebel motioned setting the meeting dates for the fourth (4th) Wednesday of each month (except as noted) at 6:30 p.m. to be held at the Municipal Building, 419 Sunset Drive, Butler, PA 16001. Cavaliero seconded. Motion carried. The meeting dates are:

February 25	March 25	April 22
May 27	June 24	July 22
August 26	September 23	October 28
November 18 (3 rd Wednesday)	December 23	January 27, 2016 (Reorganization/Regular)

REGULAR**APPROVAL OF AGENDA:**

Schiebel motioned, correcting the heading to 2015, approving the agenda for the January 28, 2015 meeting. Schaefer seconded. Motion carried.

PUBLIC TO BE HEARD: None

MINUTES:

Cavaliero motioned approving the minutes of the Regular Meeting held Wednesday, December 17, 2014. Schaefer seconded. McCollough abstained. Motion carried.

SUBDIVISION & LAND DEVELOPMENTS:

1. Saul Minor Subdivision No. 2015-01-01, Final, Expires 4/28/2015, Final, Expires 4/28/2015: Mr. John Saul proposes subdividing Center Township Map 060-3F41-34B, consisting of 90.7 acres (m/l), into two (2) lots consisting of three (3) acres (m/l) and 1.06 acres (m/l). Butler County Planning had no comments per letter dated Monday, January 12, 2015. Township Engineer Olsen's comments are as follows (*Ms. Cheryl Hughes' comments are italicized*):
 - a. The stated purpose of the plan of subdivision is to create a 3.00 acre residential building lot and a 106 acre lot for an existing mobile home. (*No comment*)
 - b. The property is zoned R-1A. The lots being created meet yard, setback and area requirements of the Zoning District. (*No comment*)
 - c. The remnant parcel that is shown to be approximately 86.7 acres is labeled to be used for agricultural purposes unless a sewage permit for this parcel is issued. It is therefore a "non-building" lot at this time. (*No comment*)
 - d. The Applicant had previously submitted to the Township a sketch plan of this subdivision. The number of lots created from the parent tract now totals 6 plus the remnant, which does not meet the definition of a minor subdivision. Therefore, this submission is classified as a major subdivision. However, since the submission proposes no public improvements, no preliminary approval is needed, which limits the submission requirements to those described in the Subdivision and Land Development Ordinance paragraph 14-403.
 - 1) It is unclear if the existing mobile home on proposed Lot 2 meets required side yard setbacks. If not, this mobile home should be labeled as a non-conforming structure. (*The existing mobile home and shed on Lot have been labeled as existing non-conforming structures.*)
 - 2) Location and description of all survey monuments and markers should be shown. (14-404 B.4.e) (*Existing survey markers are shown and a note has been added that iron pins will be set at new corner lots.*)
 - 3) The Applicant must provide PaDEP-approved Sewage Facilities Planning Module I Revision to the Township's PaDEP Act 537 Plan or request an exemption (14-404 C.6). The Applicant should contact the Township's Sewage Enforcement Officer for a review of the adequacy of the on-lot system serving proposed Lot 2. The Applicant may wish to test soils to confirm that an alternate site for an on-lot system is available

on each proposed lot in order to qualify for an exemption to PaDEP Planning. (*The Sewage Facilities Planning Module has been submitted.*)

- e. The Applicant is required to procure an NPDES Permit from the PaDEP I Butler County Conservation District (BCCD) if proposed earth disturbance exceeds 1 acre. We suggest that the Applicant work with his design professional to determine the applicability of this (14-404 C.4). In the event that proposed earth disturbance can be limited to less than one acre, the Applicant is required to prepare an Erosion & Sediment Control Plan, but this does not need to be submitted for approval to the PaDEP/BCCD. (*We would suggest that determining the need for an NPDES permit or Erosion sedimentation Control Plan be part o the Building Permit submission.*)
- f. The Applicant must provide Stormwater Management complying with the Center Township Codified Ordinance Chapter 21. We recommend that the construction of a dry rock-filled sump conforming to Center Township Standard Detail SD22 as shown on the plan (to be recorded) is sufficient to meet Post Construction Stormwater Management requirements for this proposed single-family residential project. (*No comment*)
- g. We recommend that the request for modification mentioned at the beginning of this letter be granted. (*No comment*)

Schiebel motioned recommending granting a modification to Chapter 14, Article IV, Section 14-403, Paragraph G.1.c. Cavaliero seconded. Motion carried.

Schiebel motioned, contingent on the receipt of the Pennsylvania Department of Environmental Protection's approval of the Sewage Facilities Planning Module, recommending final approval of the Saul Minor Subdivision No. 2015-01-01. Cavaliero seconded. Motion carried.

- 2. First United Methodist Church Minor Subdivision No. 2015-01-02, Final, Expires 4/28/2015: Mr. Tom Holman presented. Mr. John Wise will convey 17.22 acres (m/l) from Center Township Map 060-2F104-4D and 7.35 acres (m/l) from Center Township Map 060-2F104-4DA to Center Township Map 060-2F104-4B. Butler County Planning Commission had no comments per letter dated Monday, January 12, 2015. Township Engineer Olsen's comments are as follows (*Ms. Cheryl Hughes' comments are italicized*):
 - a. The purpose of the submission is to subdivide two parcels from lands of Wise and to convey these to First United Methodist Church, which will consolidate this into their other lands. (*No comment*)
 - b. The new parcel around the ice cream store should be labeled Parcel B in order to be consistent with notes on the plan. (*The parcel around the ice cream store is not part of this subdivision and cannot be labeled Parcel B. Parcel B is the existing 2.05 acre lot that is already owned by Wise*)
 - c. The parcel is zoned C-1; it is our understanding that an application for a Final Land Development will be submitted by the Church after it receives Conditional Use considerations from the Township. A Preliminary Land Development was previously granted for the future Church activities, which included a proposed private sanitary sewage pump station to convey pumped sewage from proposed Parcel A to facilities of the Butler Area Sewer Authority within existing public easements within the existing Shady Lanes Farms residential development. (*Conditional use was approved by the Board of Supervisors at their meeting held on Wednesday, December 10, 2014.*)

However, the Township must assume at this time that this subdivision will stand alone, that lots proposed may be developed in other ways. Therefore,

- 1) Either the existing on-lot sewage system serving Parcel A must be reviewed by the Township Sewage Enforcement Officer and determined to be satisfactory for reuse or
 - 2) The proposed private pump station and route to BASA public facilities should be shown on the drawings as the method of choice for providing sewer service to Parcel A. Note that if the private sanitary pump station is shown, the Township will not, in approving this subdivision, be guarantying that the lot is approved for any and all proposed uses irrespective of future sewage production. The Applicant will be responsible for preparing Sewage Facilities Planning Modules as part of the Parcel A Final Application for Land Development, which the Township will submit for approval to the PaDEP. *(The Pennsylvania Department of Environmental Protection approved an exemption per letter dated Tuesday, January 6, 2015.)*
- d. A similar issue appears to be involved with proposed Parcel B, the ice cream building lot. The septic system, which appears to be serving this lot, is bisected by the proposed southern property line. A revision in this southern lot line of Parcel B could be made in order to encompass the septic system, or a special purpose easement could be made around the septic system that could be part of the parcel lot consolidation process. The Township Sewage Enforcement Office should be consulted by the Applicant regarding this issue. *(An easement for the existing septic system has been added.)*
- e. Although there is a standard note on the plan that a Highway Occupancy Permit is required for access to a state highway, the Applicant should be aware that Parcel B (ice cream site), if conveyed to others, is not guaranteed additional access to Mercer Road or S.R. 0008, and that it is probable that limited sight distance and rules regarding separation of driveways from intersections may result in future access being limited to existing curb cuts. *(No comment)*

Schiebel motioned recommending final approval of the First United Methodist Church Minor Subdivision No. 2015-01-02. Schaefer seconded. Motion carried.

3. Sheetz/Rite Aid Land Development No. 2015-01-03, Preliminary & Final, Expires 4/28/2015: ***Schiebel motioned tabling the Sheetz/Rite Aid Land Development No. 2015-01-03 due to lack of representation. Cavaliero seconded. Motion carried.***
4. Clearview Mall Land Development No. 2015-01-04, Final, Expires 4/28/2015: Mr. Steve White presented. Bon Ton will close January 31, 2015. A new tenant, Rural King, will occupy sales area. Rural King is a combination of department store, hunting equipment and farm equipment. They request authorization to fence in eighty-two (82) spaces for an outdoor sales area. Mr. White requests a determination on whether the mall is considered retail stores/shops (1 space per 300 square feet [3511 spaces 990 excess]) or a shopping center (5 space per 1,000 square feet) which reflects a deficit of 384 spaces. Butler County Planning Commission has no comments per letter dated Wednesday, January 21, 2015. Township Engineer Olsen comments are as follows:
 - a. The Applicant is a past client of Olsen & Associates, most recently related to an ALTA survey of the mall required for mall property refinancing.
 - b. The Planning Commission reviewed a Pre-Application submission from the Applicant as requested by the Township Zoning Officer and recommended that a Land Development be submitted to the Township by the Applicant because of outside storage proposed by Rural King, a secured

tenant replacement for the Bon Ton space.

- c. The Applicant has indicated that 82 existing parking spaces located behind the Mall will be converted to outside fenced storage and display area. The Mall ring road and fire lane are shown to remain intact. A crosswalk is shown to connect the main building entry with the proposed outside storage.

The Township may wish to discuss any measures being proposed by the Applicant to enhance the safety of the proposed crosswalk, which could include any of the following: reflectorized crosswalk paint, raised pavement, signage and roadway striping.

- d. The Applicant's description of provided parking versus required parking was reviewed informally by Supervisors Latuska and Smallwood. Based on this meeting, it is our understanding that this issue will be addressed separately by the full Board of Supervisors, which has specific authority in the Zoning Ordinance to decide parking definitions that may apply to a Land Development.

Schiebel motioned recommending Clearview Mall be considered a retail store/shops use for parking requirements of 1 space per 300 square feet providing 990 spaces in excess. Schaefer seconded. Motion carried.

Schiebel motioned recommending granting Rural King authorization to enclose the eighty-two (82) spaces for an outdoor sales area. Ashbaugh seconded. Motion carried.

Schiebel motioned recommending the Board of Supervisors review the zoning ordinance for discrepancies/conflicts. Cavaliero seconded. Motion carried.

OLD BUSINESS: None

NEW BUSINESS:

1. R E Gas Development Conditional Use Request No. 2015-01: Mr. Michael Vennum submitted a conditional use for an unconventional well pad on Brown Road. Property is owned by Albert Stultz Trust. ***Schiebel motioned recommending approval of the R E Gas Development Use Request No. 2015-01. Ashbaugh seconded. Motion carried.***

MISCELLANEOUS: None

ADJOURNMENT:

Cavaliero motioned adjourning the Regular Meeting at 7:35 p.m. McCollough seconded. Motion carried.

ANTHONY A. AMENDOLEA
Township Secretary//Treasurer