

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

PLANNING COMMISSION
Reorganization/Regular Meeting Minutes
February 25, 2015
6:30 p.m.

CALL TO ORDER:

The Regular Meeting of the Center Township Planning Commission was called to order by Chairman 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 Chairman Schiebel, were members Neil Ashbaugh, Brad Cavaliero, and Cheryl Schafer; Township Engineer Ron Olsen; and Secretary/Treasurer Anthony Amendolea. Kasey McCollough was absent.

APPROVAL OF AGENDA:

Schiebel motioned approving the agenda for the February 25, 2015 meeting. Cavaliero seconded. Motion carried.

PUBLIC TO BE HEARD:

1. Mr. Samuel Terlizzi, 773 Bullcreek Road: Mr. Terlizzi requested a waiver from installing a on-lot stormwater sump on Lot 15 of Brooksedge Drive. Planning Commission recommended Mr. James Day analyze the retention area. Township Engineer Olsen will research also.

MINUTES:

Schiebel motioned approving the minutes of the Reorganization/Regular Meeting held Wednesday, January 28, 2015. Schaefer seconded. Motion carried.

SUBDIVISION & LAND DEVELOPMENTS:

1. Stultz Lot Line Revision No. 2015-02-05, Final, Expires 5/26/2015: Mr. David Czifra proposes removing the lot line between Center Township Maps 060-3F41-29A and 060-3F41-29B, consisting of 9.40 acres (m/l). Butler County Planning had no comments per letter dated Tuesday, February 10, 2015. Township Engineer Olsen's comments are as follows (*Mr. David Czifra comments are italicized*):

- a. The purpose of the plan is to consolidate two lots into one, which is denoted Lot IRR.
- b. Lot areas are to be computed excluding areas of road right-of-way, or a modification requested.
- c. The right-of-way width of T-412 Brown Road is not shown on the plan, but is labeled "R/W varies." The Applicant should verify the width of the existing road right-of-way. As an alternative to investigating and determining the existing road right-of-way, the Applicant may show a dedication of 25' from road centerline, compute acreage to that line, and show front setback from that line. *(will dedicate 25' from road centerline)*

Cavaliero motioned, contingent on the dedication of twenty-five (25) feet from road centerline, recommending final approval of the Stultz Lot Line Revision No. 2015-02-05. Schiebel seconded. Motion carried.

2. First United Methodist Church Land Development No. 2014-11-10, Final, Expires 12/16/2019: Mr. Tom Holman presented. This plan received preliminary approval at the Board of Supervisors meeting held on Wednesday, December 10, 2015. The Department of Environmental Protection approved, January 6, 2015, the exemption from the requirement to revise the official plan for new land development. Butler Area Sewer Authority approved the sanitary sewer plan with the following conditions:
 - a. C603, Construction Details: Sewage Force Main Tie-In Detail is incorrect, as the flow direction is reversed. No changes were made to this detail based upon our previous review letter.
 - b. The owner will have to enter into a Grinder Pump Agreement with the Authority. We will furnish the document to the Owner for execution in the near future.
 - c. After the Grinder Pump Agreement has been executed, the Owner or his designated representative will have to purchase the required Sanitary Sewer Connection Permit. The Permit will be based upon the ten (10) equivalent dwelling units (edu's) identified in the Sewage Facilities Planning Module Application. Total cost for this Permit will be \$28,150, which includes a Connection Fee of \$150, and In section Fee of \$100, and a Tapping Fee of \$27,900 (10 edu x \$2,790/edu). The Owner or his representative must appear in person at the Authority office to purchase the Permit. This may not be completed through the mail. No work is permitted on any phase of the sanitary sewer lateral until the Permit has been purchased.
 - d. All gravity sewers must be pressure tested by the Contractor in the presence of an Authority representative. The test shall be an air test of 5psi held for 15 minutes with no allowable loss.
 - e. All pressure sewers/force mains must be pressure tested by the Contractor in the presence of an Authority representative. The test shall be a hydrostatic test at a pressure of 1.5 times the normal working pressure, or 50 pounds above the normal working pressure, whichever is greater, maintained for a 2-hour period.
 - f. At the appropriate time, provide at least 48-hours advance notice to the Authority to schedule and coordinate inspection and testing services.

Township Engineer Olsen's comments are as follows *(Mr. Jonathan Garczynski, Gateway Engineers, comments are italicized)*:

- a. The proposed use is a conditional permitted use in the C-1 Commercial Zoning District. The Solicitor should be consulted regarding the need for a conditional use hearing and the approval process from the Planning Commission and Board of Supervisors. We recommend that parking and buffering of Shady Lane Farms residential properties to the north will be part of the hearing discussions. *(Comment acknowledged)*
- b. The Post Construction Stormwater Maintenance is consistent with provisions of the Center Township Act 167 Stormwater Management Ordinance. The Applicant is required to enter into an Operation and Management Agreement for stormwater facilities. A copy of the standard agreement form is attached. Certain stormwater management controls are shown on property not currently owned by the Applicant. Property transfers as part of the subdivision I land development must be completed prior to execution of the agreement, and the solicitor may have to modify the standard agreement if separate multiple properties are involved. *(Comment acknowledged)*
- c. The proposed facilities are shown to be served by a proposed private pump station, which will convey sewage to collector lines of the Butler Area Sewer Authority (BASA) located in the Shady Lane Plan of Lots. The system should be designed as approved by the BASA, with odor controls as appropriate. *(The plans and design of the system has been approved by BASA, the approval letter is included with this resubmission)*
- d. Since the facility will be served by public water that will not be affected by normal occasional power outages, the private sewage pump station should be served by a stand-by power system or an oversized sewage holding tank to prevent sewage releases during power outages. *BASA has approved the plan without a need for a backup power source; the system is capable of holding 900 gallons of sewage. Crossfire has additionally stated that if the power is out of service, there will be no usage of the facility.)*

We recommend Preliminary Approval of the plan, but Final Approval requires the following items being received by the Township from the Applicant:

- a. PaDEP Sewage Facilities Planning Module Approval *(Please find the enclosed approval of the Sewage Exemption for this expansion)*
- b. A letter of service from the Butler Area Sewer Authority *(Please find the enclosed approval from BASA)*
- c. A letter of service from the Pennsylvania American Water Company *(Please find the enclosed serviceability letter from PA American Water)*
- d. A review letter from the Butler County Planning Commission *(Please find the enclosed recommendation for approval from BCPC)*
- e. A letter of approval of an NPDES Permit from the PaDEP *The NPDES Permit has been submitted to the BCCD, approval will be forwarded once it is received. We have received an administrative complete letter (enclosed) and have received a technical deficiencies letter which we will respond to and resubmit this week.)*
- f. Proof that properties shown as part of this submittal have been properly subdivided and are under the ownership of the Applicant *The subdivision to include the portion of the Wise property has been completed and was approved at the Board of Supervisors meeting held on Wednesday, February 11, 2015.)*
- g. The execution of the O&M Agreement described in 2 (above) *(To be completed once Final Approval is granted.)*
- h. Performance Security that has been posted by the Applicant, which guarantees 110% of the estimated cost of construction of Stormwater Management Facilities and any other Township-required improvements as determined by the Township Solicitor. The Applicant's engineer must submit estimated construction costs to the Township for approval. *(Please find the enclosed Cost Estimate (\$61,578.00) for bonding of the Stormwater Management Facilities.)*

- i. The verification that Conditional Use has been granted by the Township, and that this approval is beyond the date subject to any appeals of the decision (*The conditional use for the expansion was granted at the December 10, 2014 Supervisors Meeting.*)

After reviewing Mr. Garczewski's comment letter dated February 12, 2015, Township Engineer Olsen provided these comments (*Mr. Jonathan Garczewski, Gateway Engineers, comments are italicized*):

- a. The Applicant received approval from the Township for a subdivision last month. The Applicant must provide proof that it now owns all properties being developed. If property transfers have not been completed, the Planning Commission may make this a condition for recommendation of approval. (*mylar needs to be recorded*)
- b. There is no provision shown on the drawings for screening residentially-zoned adjacent properties. Most existing trees shown to remain will be on properties not owned by the Applicant. The trees appear to be deciduous and not coniferous. Zoning Ordinance section 20-1501.E.1 states (*will provide adequate screening*):

Screening and Landscaping: Off-street parking shall be effectively screened on each side which adjoins or faces either a residential or commercial zoned district by an opaque ornamental fence or dense evergreen hedge. Such fence or hedge shall not be less than five feet (5') nor more than six feet (6') in height and shall be maintained at all times in good condition without any advertising thereon. Any space between such fence or hedge and the side lot adjoining premises or the front lot line facing premises in any residential or commercial zoning district shall be landscaped with lawn, hardy shrubs or evergreen ground cover and maintained in good condition.

- c. The Applicant must enter into an Operation and Maintenance Agreement for Stormwater Facilities that must be recorded in the Butler County Recorder's Office. An O&M Agreement form was given to the Applicant as part of Preliminary Approval.
- d. The letter of Approval of an NPDES Permit from the PaDEP must be received by the Township as a condition to Final Approval. (*received approval per letter dated February 19, 2015*)
- e. Performance Security for Stormwater Management must be posted by the Applicant in the amount of \$61,578 based on the submitted Opinion of Probable Cost of the construction of these facilities.

Schiebel motioned, contingent on (1) the property being transferred to First United Methodist Church, (2) provide screening along the residential property, (3) enter into an Operation and Maintenance Agreement for Stormwater Facilities, and (4) providing a Performance Security Bond for Stormwater Management in the amount of \$61,578.00 recommending final approval of the First United Methodist Church Land Development No. 2014-11-10. Cavaliero seconded. Motion carried.

OLD BUSINESS: None

NEW BUSINESS:

- 1. Sheetz Conditional Use Request No. 2015-02: Sheetz, Inc submitted a conditional use for a motor vehicle fuel dispensing station and drive-through restaurant at 1518 North Main Street Extension (Center Township Map 60-2F63-20EA) Property is currently owned by J T Butler LLC. They will apply to the Zoning Hearing Board for variances from Chapter 20, Article XIV, Section 20-1408, Subsection a.14.c "No fuel dispenser shall be permitted in any

front, side, or rear yard area" and Chapter 20, Article XIV, Section 20-1408, Subsection a.14.d "No fuel storage tank, whether above or below ground, shall be permitted in any front, side, or rear yard area". *Schiebel motioned, contingent on the Zoning Hearing Board's approval of the variances, recommending approval of the Sheetz Conditional Use Request No. 2015-02. Cavaliero seconded. Motion carried.*

2. Cambridge Healthcare Solutions Conditional Use Request No. 20015-03: Cambridge Healthcare Solutions PA, LP submitted a conditional use for a VA Healthcare Clinic at 353 North Duffy Road (Center Township Map 60-3F43-31B). Property is currently owned by John R. Herold et al. They will apply to the Zoning Hearing Board for a variance from Chapter 20, Article V, Section 20-505, Subsection C, Maximum lot coverage of twenty-five (25) percent. *Cavaliero motioned, contingent on the Zoning Hearing Board's approval of the variance, recommending approval of the Cambridge Healthcare Solutions PA Conditional Use Request No. 2015-03. Schaefer seconded. Motion carried.*

Schiebel motioned recommending the Board of Supervisors revise the maximum lot coverage of twenty (25) percent for conditional uses.

MISCELLANEOUS: None

ADJOURNMENT:

Schiebel motioned adjourning the Regular Meeting at 8:07 p.m. Schaefer seconded. Motion carried.

ANTHONY A. AMENDOLEA
Township Secretary/Treasurer