

SOUTH STRABANE TOWNSHIP
PLANNING COMMISSION REGULAR MEETING MINUTES

February 10, 2022

APPROVED MEETING MINUTES

The Planning Commission of South Strabane Township held its Regular Meeting on Thursday, February 10, 2022 at 7:16 p.m. in the Meeting Room of the Municipal Building, 550 Washington Road, Washington, PA 15301. The meeting was rescheduled from February 3, 2022 due to inclement weather on the originally scheduled date.

Present: Thomas Steele, Chair; Jay Gordon, Vice Chair; Joe Kopko (via Zoom); Paula Phillis (arrived 7:29 p.m.); and Fred Pozzuto

Not Present: None

Also Present: Brandon Stanick, Township Manager; Jim Sutter, Assistant to the Township Manager; Scott Groom, Engineer (via Zoom); and Dennis Makel, Solicitor

Chair Steele announced Agenda Item Number 5 concerning a Preapplication Meeting with Snuffy Investments, LP. has been postponed and removed from the agenda at the request of the Applicant.

1. PLEDGE OF ALLEGIANCE

Chair Steele led the group in the Pledge of Allegiance.

2. PUBLIC COMMENT

The Planning Commission allocates a period of time during this item for those individuals who would like the opportunity to address the Planning Commission on any matter. Each person addressing the Planning Commission is asked to limit their comments to a maximum of three (3) minutes.

Mr. Jeffrey Bull, an individual with property interest in the Township, stated he would like to reserve his comments regarding the proposed Meadows Landing Planned Residential Development for the relevant Agenda Item.

Ms. Charlene Scuvotti, resident on Pine Valley Road, inquired why is the application for Meadows Landing Associates, LP. ("Applicant") being considered again. Ms. Scuvotti stated it is the responsibility of applicants and the municipality to complete sewage planning modules, which the Applicant has not completed. Ms. Scuvotti stated the applicant requires easement agreements to have stormwater run onto her property. Ms. Scuvotti noted a Developer's Agreement has not been executed with the Applicant and expressed her opinion their application should not move forward without this being completed.

3. APPROVAL OF THE PLANNING COMMISSION REGULAR MEETING MINUTES – DECEMBER 2, 2021 AND JANUARY 6, 2022

Mr. Gordon moved to approve the December 2, 2021 meeting minutes. Mr. Pozzuto seconded the motion. The motion passed on a 3-0 voice vote with Mr. Gordon abstaining.

Mr. Gordon moved to approve the January 6, 2022 meeting minutes. Mr. Pozzuto seconded the motion. The motion passed on a unanimous voice vote.

4. CONTINUED CONSIDERATION OF FINAL PLANNED RESIDENTIAL DEVELOPMENT APPROVAL FROM MEADOWS LANDING ASSOCIATES, LP. FOR THE MEADOWS LANDING PLANNED RESIDENTIAL DEVELOPMENT LOCATED ALONG LANDINGS DRIVE & U.S. ROUTE 19, FURTHER IDENTIFIED AS PARCEL NO. 600-001-00-00-0017-18, IN THE R-4 ZONING DISTRICT

Chair Steele introduced the item. On October 15, 2021 the Planning Commission received an application from the Applicant for Final Planned Residential Development (“PRD”) Approval for the Meadows Landing PRD (“Development”) located along Landings Drive and U.S. Route 19, commonly known as Parcel No. 600-001-00-00-0017-18 (“Property”), in the R-4 Residential Zoning District.

Previously, on March 13, 2021 the Township received applications for re-zoning and Master Plan Approval from the Applicant. The Board of Supervisors (“Board”) approved the Master Plan for the Development at their March 23, 2021 meeting conditioned on the Property being re-zoned from C-2 Commercial to R-4 Residential. The Property was re-zoned accordingly at the April 27, 2021 Board meeting. The Planning Commission held a Public Hearing for the consideration of the Conditional Use and Preliminary PRD applications at their June 1, 2021 meeting. Following the hearing, the Planning Commission recommended the Board grant Preliminary PRD Approval. The Board held a Public Hearing at its July 27 and August 24, 2021 meetings for the consideration of the application. Following the Hearing, the Board unanimously granted Preliminary PRD Approval.

The application for Final PRD Approval was initially considered at the December 2, 2021 Planning Commission meeting. Consideration of the application was tabled per the comments from the Township Engineer being addressed and the receipt of the Washington-East Washington Joint Authority’s (“WEWJA”) sewer capacity letter. The application was considered again at the January 6, 2022 meeting. As a result of miscommunication, no representative of the Applicant was in attendance and, the Planning Commission recommended the Board deny the application. At the Applicant’s request, following a meeting with staff, the item is being presented again for the Planning Commission’s consideration.

The Property is approximately 167.63 acres of vacant land. It sits along the western side of U.S. Route 19 between the intersections with Manifold Road and Fischer Road, situated behind the Speedway gas station, Washington Federal Credit Union and Tri-State Surgery Center. The proposed Development will be constructed in 3 phases and consist of a mixture of townhomes (107 units), duplexes (138 units) and single-family detached homes (101 units) for a total of 346 units. Additional features include: 56% open space, four acres of low impact recreation area, three

parking lots with lighting, and stormwater management ponds and underground conveyance system. Streets to be constructed and dedicated to the Township include: Chase St., Lincoln St., Jack Dr., Ashton St., Adam St., Logan Dr., and existing Helen Dr; Helen Dr. serves as the main vehicular access to the Development. The Developer has demonstrated and is providing for access to Fischer Rd. from Lincoln St. should the westerly property develop.

The Township received a letter dated January 28, 2022 from Township Engineer Scott Groom reviewing the plans for the Development:

**Township of South Strabane
Meadows Landing**

KLH Engineers, Inc has completed a review of the following drawings and documents received by this office for compliance with Township Ordinances:

- Preliminary/Final Subdivision and Land Development Plans prepared by Sheffler & Company, Inc. with a revision date of October 15, 2021.
- Stormwater Management Report revision date of October, 2021 by Sheffler & Company, Inc.

The following are comments still left unresolved from previous submissions.

GENERAL COMMENTS

1. The Applicant needs to submit a capacity letter from Washington-East Washington Joint Authority (WEWJA) showing this project can be served in its entirety over three phases. This is a repeat comment, as the Township needs to see in writing from WEWJA that they have capacity to serve this project in full build-out.

We recommend final approval of the PRD contingent upon Meadows Landing getting a capacity letter from WEWJA.

Very truly yours,
KLH ENGINEERS, INC.
Scott D. Groom, PLS

Chair Steele asked Mr. Groom if he had any comments in addition to those provided in the review letter. Mr. Groom stated he did not and reiterated they are recommending approval of the application conditioned on receiving the capacity letter from WEWJA. Mr. Jeff Kestler, representative of the Applicant, stated he would be happy to answer any questions the Commissioners may have regarding the application.

Mr. Gordon inquired of the issue with the Development receiving a capacity letter from WEWJA. Township Manager Brandon Stanick stated there is a hold on WEWJA issuing any capacity letters pending a revised agreement regarding sewage service overall in the Township with WEWJA. Mr. Pozzuto noted this project has been under development for several years and questioned why this issue was not addressed earlier. Mr. Graham Ferry, engineer for the Applicant, stated the onus for

providing capacity is on WEWJA and with the Manifold Forcemain Project starting construction shortly it should be able to issue capacity letters.

Ms. Phillis arrived at 7:29 p.m.

Chair Steele asked the Applicant for information on their timeline for the project. Mr. Kestler stated they are still working through various contracts and permitting processes and the plan is to build over three phases. A discussion ensued on the methods and capacity of the sewer conveyance in the vicinity of the Property.

Mr. Bull stated he is a member of the WEWJA Board of Directors but is not representing them at this meeting. He stated a Developer's Agreement is required for this Development to move forward. He stated it appears the former South Strabane Township Sanitary Authority ("SSTSA") was not operating on an expedient enough timeline for the Board and the subsequent decision to dissolve the body was poorly thought out. Mr. Bull requested that his developer enter into a development agreement prior to approval.

Ms. Scuvotti stated she had questions for Mr. Ferry. Chair Steele reminded her she could make comments, but no one is obligated to respond. Ms. Scuvotti expressed concerns with stormwater flowing onto her property. A discussion ensued on the proposed stormwater facilities and their operations. Mr. Makel asked Mr. Ferry if the Development is directing water onto her property. Mr. Ferry stated flow is being directed to a natural water way that goes through her property in a manner approved by the Township Engineer. Mr. Ferry stated they are not increasing the peak flow rate and additional drainage will be held within the site. He reiterated this plan was reviewed and approved by the Township Engineer.

Mr. Pozzuto asked if the Applicant has received all of its Erosion and Sedimentation permitting. Mr. Ferry stated it is still under review. He stated the application is currently with the Washington County Conservation District ("WCCD"). He stated the WCCD has authority under the Department of Environmental Protection ("DEP") for these permits. Mr. Ferry stated they are currently in the process of receiving and responding to different comments from the WCCD. He stated this is typical for large developments and it can be a lengthy process. He stated construction cannot begin until these permits are completed. Mr. Pozzuto asked when these applications were submitted. Mr. Ferry stated they were submitted in September 2021. Mr. Pozzuto asked when they are anticipating receiving final approval from the WCCD. Mr. Ferry stated approval is anticipated for spring.

Mr. Kopko expressed concern over the lack of a Developer's Agreement. He stated the Township may be exposed to liability. He stated recommending approval of this Development to the Board without the Applicant having received other approvals is also a concern. He expressed concern the Planning Commission could recommend approval, and should something happen with the Applicant, the Township could be liable without a Developer's Agreement. Mr. Kopko inquired why this application needs to be expedited.

Mr. Stanick noted the Development cannot move forward without a Developer's Agreement per the Code. He stated a Developer's Agreement is executed between the Board and Applicant. He

reiterated developments are always contingent upon the execution of a Developer's Agreement. Mr. Kopko stated he still has concerns and the prudent action is to ensure all permits are in place. He also stated the reason for his vote to recommend denial at the January meeting was not due to the lack of attendance by the Applicant, but due to the merits of the Development.

Mr. Bull read aloud Section 206-56F of the Township Code regarding the necessity for developers to provide certification of agreements for sanitary sewers. He inquired as to why this Development has moved forward as far as it has and discussed history of the property. Mr. Pozzuto expressed his interest in receiving a capacity letter from WEWJA and the necessary WCCD permits prior to recommending approval. Mr. Makel noted the Applicant would not be able to move forward with construction without these required permits. In response to a comment from Mr. Bull, Ms. Phillis asked for clarification if there is really a moratorium on development. Chair Steele noted it would be more accurate to say there is a hold on development. A discussion followed

Ms. Phillis noted the revised engineer letter provided by Mr. Groom now recommends approval, but the previous letter recommended not approving the Development. She asked what had prompted them to change the recommendation to approval contingent upon receipt of the capacity letter. Mr. Groom stated the reason was the awarding of the contract for the Manifold Forcemain Project. WEWJA had previously advised capacity letters for all development would be sent once the contract was awarded. Ms. Phillis asked if there is any possibility WEWJA would not issue a capacity letter. Mr. Stanick stated the contract for the Manifold Forcemain Project has been awarded and breaking ground on the project is in the very near future. Once this is done, there would be no reason for capacity letters to not be issued.

Mr. Stanick noted there are developer agreements with the Applicant and the Burkett Manor developers being negotiated, which would require a monthly contribution from each. Mr. Kopko asked if these agreements are signed. Mr. Stanick confirmed they have not been executed. Mr. Kopko stated he cannot envision recommending approval without these agreements executed. He expressed concern over costing taxpayers' money. A discussion ensued regarding developer's agreements. Chair Steele clarified developer agreements are between the Board and developer and not under the Planning Commission's purview. Mr. Gordon inquired on the Planning Commission's liability. Mr. Makel stated the Planning Commission is a recommending body. A discussion ensued on the Manifold Forcemain Project and the associated developer agreements. Mr. Stanick noted the project is required and must happen even without the two developments.

Mr. Makel recommended the following motion: To approve subject to the Applicant receiving appropriate permits from the DEP, accepting liability for placing water on the properties downhill from the Development, the Applicant and the Burkett Manor Development entering into a Developer Agreement with the Township to the satisfaction of the Township Solicitor and receiving the necessary capacity letter from WEWJA. Chair Steele stated he is not confident in the motion requiring another developer to take action nor party accepting any liability for water runoff to downhill properties.

Mr. Gordon moved to recommend the Board grant Final Planned Residential Development approval to Meadows Landing, L.P. for the Meadows Landing Planned Residential Development

located along Landings Drive & U.S. Route 19 in the R-4 Zoning District with the following conditions: the Applicant receives appropriate permits from the DEP; and the Applicant receives necessary capacity letter from WEWJA. Chair Steele seconded the motion. The motion failed on a 2-3 voice vote with Mr. Kopko, Ms. Phillis and Mr. Pozzuto voting no.

Mr. Pozzuto asked if the Applicant would agree to waive all time requirements associated with the application. Mr. Kestler stated the Applicant cannot agree to another extension at this time. A discussion ensued on the Applicant's timeline for construction.

Mr. Pozzuto moved to recommend the Board not grant Final Planned Residential Development approval to Meadows Landing, L.P. for the Meadows Landing Planned Residential Development located along Landings Drive & U.S. Route 19 in the R-4 Zoning District. Mr. Kopko seconded the motion. The motion passed on a 3-2 voice vote with Chair Steele and Mr. Gordon voting no.

5. PREAPPLICATION MEETING WITH SNUFFY INVESTMENTS, LP. REGARDING A PROPOSED PLANNED RESIDENTIAL DEVELOPMENT ALONG QUARRY ROAD, FURTHER IDENTIFIED AS PARCEL NO. 600-007-00-00-0036-00

This item was removed from the agenda at the request of the Applicant.

6. STAFF UPDATE

Assistant to the Township Manager Jim Sutter stated legal representation from Pankratos, Inc. advised they will be in attendance at the March meeting for the continued consideration on a Conditional Use application to operate a juvenile personal care facility.

Mr. Sutter also reported Amerco Real Estate Company will return in March for the Planning Commission's consideration of a text amendment to allow self-storage facilities in the C-2 Zoning District. Mr. Sutter stated they had agreed in writing to waive all time requirements associated with the application.

7. ADJOURNMENT

There being no further business to come before the Commission, Mr. Gordon moved to adjourn the meeting at 8:28 p.m. Chair Steele seconded the motion. The motion passed on a unanimous voice vote.

Respectfully,

Jim Sutter
Assistant to the Township Manager