

PLANNING COMMISSION MEETING MINUTES

APPROVED

August 3, 2017

The Planning Commission of South Strabane Township held their Regular Meeting on Thursday, August 3, 2017 at 7:00 P.M. in the Municipal Building, 550 Washington Road, Washington, PA 15301.

Present for the meeting were: Joseph Kopko, Vice-Chairman; Fred Pozzuto; Laynee Zipko; and Jay Gordon, Members. Also present were: Michael Sherrieb, KLH Engineers; Planning Commission Solicitor Christopher Furman; Brandon Stanick, Township Manager and Ellen Wallo, Recording Secretary. Chairman Paula Phillis and Member Tom Steele were absent.

Vice-Chairman Kopko led the group in the Pledge of Allegiance.

PUBLIC COMMENTS

None.

Chairman Kopko stated that he will entertain a motion to change the order of the agenda.

Ms. Zipko then made a moved to change the order of the agenda. The motion was seconded by Mr. Gordon. The motion passed by a unanimous voice vote.

Final Subdivision Re-Approval for Presbyterian Seniorcare/Gateway Engineers, Inc. for a Revised Woodlands at Redstone Subdivision No. 4, 2 lots at Redstone Road, Zoning District R-3.

Greg Malisky was in attendance representing Presbyterian Seniorcare. Mr. Malisky stated that this is a re-approval of this subdivision as the previous one was not recorded in a timely manner.

After further discussion, Ms. Zipko moved to recommend approval of this subdivision for Presbyterian Seniorcare/Gateway Engineers, Inc. for Revised Woodlands at Redstone Subdivision No. 4, 2 lots at Redstone Road, Zoning District R-3. The motion was seconded by Mr. Gordon. The motion passed by a unanimous voice vote.

Final Subdivision Approval for Ben Minor/Roger L. Johnson Trust for two-lot subdivision at Thome Drive, Zoning District A-1.

No representative was in attendance so Vice-Chair Kopko stated that the Board could hear this issue at the end of the meeting if a representative is present.

Mr. Gordon moved to recommend a change to the agenda, putting the Ben Minor/Roger L. Johnson Trust Subdivision at the end of the agenda. The motion was seconded by Mr. Pozzuto. The motion passed by a unanimous voice vote.

Final Subdivision Approval for Jimmy Sperdute/Dan Ryan Builders Mid Atlantic Strabane Manor Lots 405 & 406 Revised, Zoning District R-4.

Present in support of this application was Jim Sperdute.

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Engineer's Comments (KLH Engineers):

An application for Subdivision Approval has been received from Sperdute Land Surveying, on behalf of Dan Ryan Builders Mid Atlantic, LLC for the Strabane Manor lots 405 and 406 Revised Subdivision.

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

- Township of South Strabane Application for Subdivision Approval dated July 20, 2017.
- Subdivision Plan prepared by Sperdute Land Surveying dated July 18, 2017.

CHAPTER 206 SUBDIVISION AND LAND DEVELOPMENT

ARTICLE IV-MINOR SUBDIVISIONS

206-13 APPLICATION PROCEDURE-Completeness Review

The application for minor subdivision was determined to be complete as filed effective July 27, 2016 per Article IV, Section 206-13.A.(1)-(11).

CHAPTER 245 – ZONING-Compliance Review R-4 Zoning District

This property is zoned R-4.

The Subdivision Plat contains the required Table of Zoning Requirements for the Development as approved.

The application is in compliance with the requirements of Chapter 245, Article VIII for R-4 Medium Density Residential District.

GENERAL COMMENTS

1. The Township may have additional comments.

The application for minor subdivision is complete as filed July 27, 2017 and is in compliance with the Township zoning requirements. The application was reviewed solely for conformance to Township Zoning standards. I am recommending preliminary and final approval of the application for minor subdivision for Strabane Manor Lots 405 and 406 Revised for the August 6, 2017 Planning Commission meeting.

Mr. Pozzuto then moved a motion to recommend Final Subdivision Approval for Jimmy Sperdute/Dan Ryan Builders Mid Atlantic Strabane Manor Lots 405 & 406 Revised, Zoning District R-4. The motion was seconded by Ms. Zipko and carried by a unanimous voice vote.

Preliminary and Final Subdivision Approval for Douglas Burig for the Burig Consolidation Plan, 5,316 acres at 390 Floral Hill Drive, Zoning District R-2.

Douglas Burig was present in support of this application. Mr. Burig stated that the house that was on this property has been demolished and that sewage has just been installed at this site.

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Engineers's Comments (KLH Engineers):

An application for Subdivision Approval has been received from Douglas Burig for the Burig Lot Consolidation Plan, 390 Floral Hill Drive, South Strabane Township.

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

- Township of South Strabane Application for Subdivision Approval dated July 18, 2017.
- Consolidation Plan Rev. prepared by Wind Ridge Engineering Co., dated July 28, 2017.

CHAPTER 206 SUBDIVISION AND LAND DEVELOPMENT

ARTICLE IV-MINOR SUBDIVISIONS

206-13 APPLICATION PROCEDURE-Completeness Review

The application for minor subdivision was determined to be complete as filed effective July 28, 2017 per Article IV, Section 206-13.A.(1).(11).

CHAPTER 245-ZONING-Compliance Review R-2 Suburban Residential Zoning District

This property is zoned R-2.

The Subdivision Plan contains the required Table of Zoning Requirements for the development as approved.

The application is in compliance with the requirements of Chapter 245, Article VI for R-2 Suburban Residential District.

GENERAL COMMENTS

1. The Township may have additional comments.

The application for minor subdivision is complete as filed July 27, 2017 and is in compliance with the Township zoning requirements. The application was reviewed solely for conformance to Township Ordinance standards. I am recommending preliminary and final approval of the Burig Lot Consolidation Plan for the August 3, 2017 Planning Commission meeting.

Mr. Burig then moved a motion to recommend Preliminary and Final Subdivision Approval for Douglas Burig for the Burig Consolidation Plan, 5.316 acres at 390 Floral Hill Drive, Zoning District R-2. The motion was seconded by Ms. Zipko and carried by a unanimous voice vote.

PUBLIC HEARING: Zoning Amendment for First Street Partners, LLC to erect a warehouse on 33.8 acres on Est Maiden Street, Zoning District R-2.

William Duchess was present in support of this application. Mr. Duchess would like to build two (2) warehouses at this time on property along Route 40. He stated that the proximity to the interstate and the fact that there are so few single-family homes in the area make this a suitable site.

Engineer's Comments (KLH Engineers):

KLH Engineers, Inc. received an application from First Street Partners, LLC for proposed location of warehousing structures on a 33.8 acre parcel located on Maiden Street, east of the Laboratory Exit of Interstate 79, Zoned R-2 Suburban Residential District. The application was reviewed for compliance with the South Strabane Township Zoning Code specifically Article VO, Section 245-30 through Section 245-37 for the R-2 Suburban Residential District.

Warehousing is not a permitted use, nor a conditional use, nor a use by special exception within the R-2 Suburban Residential District per Section 245-31. A zoning amendment would be required to locate the warehousing facility at the proposed location.

Mr. Pozzuto read from a Pennsylvania Supreme Court ruling presented by Planning Commission Chris Furman regarding spot zoning. The article read as follows:

“(A) singling out of one lot or a small area for different treatment from that accorded to similar surrounding land indistinguishable from it in character, for the economic benefit of the owner of that lot or to his economic detriment is invalid ‘spot zoning’. Viewed more generally, spot zoning is an arbitrary exercise of police powers that is prohibited by our Constitution. While the size of the zoned tract is a relevant factor in a spot zoning challenge, the most important factor in an analysis of a spot zoning question is whether the rezoned land is being rerated unjustifiably different from similar surrounding land.”

Township Manager Brandon Stanick reported that the Township's 1994 Comprehensive Plan states that this area is shown to be for rural, low density uses such as farming and single-family homes. There are open land resources to the north and east of this R-2 Zoning District.

Mr. Pozzuto moved to not recommend approval of this Zoning Amendment for First Street Partners, LLC to erect a warehouse on 33.8 acres on East Maiden Street, Zoning District R-2, as this has been shown to be spot zoning. The motion was seconded by Mr. Gordon. The motion passed by unanimous voice vote.

Final Subdivision Approval for Amordoro Land Development, LLC for 2 lots of the Amordoro Land Development Plan of Lots, Revision No. 1, Pine Valley Road, Zoning District R-2.

Present in support of this application was John Diamond, Amordoro Land Development, LLC. Mr. Diamond stated that the four lots shown on the drawing were previously approved, but were not recorded. He is not looking to change the lot lines, just to create an easement for access and utilities.

Engineer Michael Sherrieb stated that four (4) items were outstanding after the July 6, 2017 meeting:

- Wetlands Delineation for Lots 3 and 4-Ecotune has provided a report showing no wetlands.
- Show dimensions of access position of Lot 4-located.
- Remove Right-of-Way wording from the Scuvotti's property and record the exact language shown in the deed.
- Show President of Amordoro-John Diamond is shown as President.

Also, one item on the Road Maintenance Agreement needs corrected. On Pages 1 and 2, the common Right-of-Way is shown as 40 ft. It should be 50 ft. Mr. Diamond stated that the change will be made and forwarded to the office immediately.

Mr. Sherrieb recommended final approval of the minor subdivision application at this time, with a recommendation to the Township Board of Supervisors that they waive the required number of concrete monuments along the original parcel boundary since this revision is not creating or establishing any new lot lines, corners or lots; that the Right-of-Way note be removed and that the 40 ft. Right-of-Way be changed to 50 ft. on the plat.

Mr. Gordon recommended Final Subdivision Approval for Amordoro Land Development, LLC for 2 lots of the Amordoro Land Development Plan of Lots, Revision No. 1, Pine Valley Road, Zoning District R-2, subject to the engineer's comments. The motion was seconded by Mr. Pozzuto. The motion passed on a unanimous voice vote.

Preliminary Subdivision Approval for James Angelides-c/o J. Angelides Enterprises, L.P. for the Bradford Run PRD-Phase 2, 31 lots on Country Club Road, Zoning District R-2.

Jonathan G. Garczewski, P.E. of The Gateway Engineers. Inc. and John Quigley, JMQ Development were present in support of this application.

Engineer's Comments:

An application for Major Subdivision Approval has been received from James Angelides, of J. Angelides Enterprises, L.P. and The Gateway Engineers for Preliminary Approval of a major subdivision for the Bradford Run Plan of Lots Phase 2, Zoning District R-2.

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

- Township of South Strabane Application for Subdivision Approval dated June 22, 2017 as submitted by J. Angelides Enterprises, L.P.
- Subdivision Plan prepared by Gateway Engineers dated June 22, 2017.

CHAPTER 206 SUBDIVISION AND LAND DEVELOPEMNT

ARTICLE IV-MAJOR SUBDIVISIONS

SECTION 206-20 APPLICATION PROCEDURE-Completeness Review

The application has been reviewed, and has been determined complete with the requirements of Section 206-20 as filed on July 6, 2017.

CHAPTER 245-ZONING-Compliance Review R-2 Zoning District

This property is zoned R-2.

The Subdivision Plat contains the required Table of Zoning Requirements and is in compliance with the zoning requirements of Article VI for the R-2 District Sections 245-30 through 245-37.

The application is also in compliance with the Subdivision and Land Development Ordinance per Section 206 and the Township Storm Water Management Plan per Section 198.

GENERAL COMMENTS

1. The Township may have additional comments.
2. The applicant must provide site survey monuments, benchmarks, and lot pins for the subdivision as defined and required under Section 206.53.

Mr. Sherrieb recommended final approval of the Bradford Run Plan of Lots Phase 2 Subdivision Application at this time.

Mr. Pozzuto recommended Final Subdivision Approval for James Angelides-c/o J. Angelides Enterprises, L.P. for the Bradford Run PRD-Phase 2, 31 lots on Country Club Road, Zoning District R-2, subject to the engineer's comments. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

Land Development Approval for Bradford Run PRD-Phase 2 off Country Club Road, Zoning District R-2.

Mr. Sherrieb stated that a land development application prepared by Gateway Engineers, was received from Greg Angellides, on behalf of J. Angelides Enterprises, LLC, on June 22, 2017 for preliminary and final land development approval for the Planned Residential development of land for the Bradford Run Phase 2 development located on Country Club Road, South Strabane Township, a R-2 Suburban Residential District.

The land development application was reviewed by KLH Engineers, Inc. for completeness and compliance with the Township zoning requirements for land development of an approved Planned Residential Development use in the R-2 Suburban Residential District.

The land development application dated June 22, 2017 was found to be complete on July 27, 2017 with the requirements of Article VI Land Development Procedures, specifically Section 206-36.A-X for preliminary and final application requirements.

The application was reviewed specifically for compliance with the Township zoning Article VI, R-2 Suburban Residential District Section 245-30 through Section 245-37 and Article XIV Planned Residential Developments Sections 245-94 through 245-98. The application was found to be in compliance with the Zoning requirements for a Planned Residential Development in the R-2 Suburban Residential District.

There were two (2) items noted on the Application Review conducted by the Washington County Planning Commission related to location of the development within the 100 year flood plain and deep mining which has occurred under the proposed site. The area noted within the planned residential development within the flood plain is at the entrance to the development where a precast concrete culvert bridge is being located. The location of this structure and its size has been designed and approved under a PaDEP Water Obstruction and Encroachment Joint Permit. A copy of PaDEP Water Obstruction and Encroachment Permit E63-657 was issued by the state and provided by the developer. This permit will regulate all activities conducted within the flood plain related to the Bradford Run Phase 2 PRD. A soils report was completed by a registered professional soils engineer and submitted to the Township with the original PRD master plan application for the Bradford Run Development. I have confirmed with Gateway Engineers that the soils report requires mine grouting at specific locations on the development site, and that the mine grouting activities are scheduled to be completed on the site.

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Gateway Engineers have resubmitted the Soils Report and the Grout Plan for the site as requested.

The land development application was determined to be in compliance with the zoning and land development requirements of South Strabane Township. I am recommending preliminary and final approval of the land development application for the Bradford Run Phase 2 Planned Residential Development.

Ms. Zipko then recommended Final Land Development Approval for Bradford Run PRD-Phase 2 off Country Club Road, Zoning District R-2. The motion was seconded by Mr. Pozzuto. The motion passed on a unanimous voice vote.

Final Subdivision Approval for Ben Minor/Roger L. Johnson Trust for two-lot subdivision at Thome Drive, Zoning District A-1.

No one appeared for this item.

Mr. Gordon moved to recommend that Final Subdivision Approval for Ben Minor/Roger L. Johnson Trust for two-lot subdivision at Thome Drive, Zoning District A-1, be tabled since Mr. Minor may have felt he had received final approval at the July 6, 2017 meeting and so as not to set a precedent. The motion was seconded by Mr. Pozzuto. The motion carried by a unanimous voice vote.

MINUTES

Ms. Zipko moved to approve the minutes of the July 6, 2017 Planning Commission Meeting as presented. Mr. Gordon seconded the motion. The motion passed on a unanimous voice vote.

ADJOURNMENT

There being no further business to come before the Board, Mr. Gordon moved to adjourn the meeting at 8:40 P.M. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

Submitted by,

Ellen G. Wallo
Recording Secretary