

SOUTH STRABANE TOWNSHIP
PLANNING COMMISSION MEETING MINUTES

November 7, 2019

APPROVED MEETING MINUTES

The Planning Commission of South Strabane Township held a Regular Meeting on Thursday, October 7, 2019 at 7:00 P.M. in the Mae C. Reynolds Meeting Room of the Municipal Building, 550 Washington Road, Washington, PA 15301.

Present: Chairperson Joe Kopko, Vice-Chair Fred Pozzuto, Mr. Jay Gordon, Ms. Paula Phillis, and Mr. William Ursic

Not Present: Mr. Thomas Steele and Ms. Susan Bayard

Also present: Township Manager Brandon J. Stanick, Assistant to the Township Manager Patrick Connors, Township Solicitor Chris Furman, Township Engineer Scott Groom,

Chair Kopko led the group in the Pledge of Allegiance.

A list of 7 visitors is on file at the Municipal Building

PUBLIC COMMENT:

No public comments were received.

APPROVAL OF PLANNING COMMISSION MINUTES – September 5 & October 3, 2019

Mr. Pozzuto moved to approve the September 5, 2019 & October 3, 2019 Regular Meeting Minutes as presented. Mr. Gordon seconded the motion. The motion passed on a unanimous voice vote.

CONSIDERATION OF AN APPLICATION FOR PRELIMINARY AND FINAL MINOR SUBDIVISION APPROVAL FOR STRABANE MANOR LOT 304 REVISED

Township Engineer Groom stated that all previous comments discussed by the Planning Commission have been addressed by the Applicant.

Mr. Gordon moved to recommend the Board of Supervisors approve the application for preliminary and final minor subdivision of Strabane Manor Lot 304 Revised subject to the Township Engineer's comments. Mr. Ursic seconded the motion. The motion passed on a unanimous voice vote.

**Township of South Strabane
Application for Subdivision Approval
Preliminary and Final Approval Review
Minor Subdivision Application - Strabane Manor Lot 304 Revised**

An application for Subdivision Approval has been received from Dan Ryan Builders Mid Atlantic, LLC for the Strabane Manor Lot 304 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 October 1, 2019
- Subdivision Plan prepared by Sperdute Land Surveying dated September 30, 2019

CHAPTER 206 SUBDIVISION AND LAND DEVELOPMENT
ARTICLE IV - MINOR SUBDIVISIONS
206-13 APPLICATION PROCEDURE - Completeness Review

§206-13.A(11)(e) The signature and seal of the surveyor need to be shown.

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.

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

GENERAL COMMENTS

1. The Township may have additional comments.

The application submitted for subdivision contains minor deficiencies that need to be addressed by the applicant. The application was reviewed solely for conformance to Township Ordinance standards. I am recommending both preliminary and final approval of the application for subdivision for Strabane Manor Lot 304 Revised contingent upon the deficiencies being addressed for the November 7, 2019 Planning Commission meeting.

Very truly yours,

KLH ENGINEERS, INC.

CONSIDERATION OF AN APPLICATION FOR PRELIMINARY AND FINAL MINOR SUBDIVISION APPROVAL FOR STRABANE MANOR LOT 306 REVISED

After some discussion, Mr. Gordon moved to recommend the Board of Supervisors approve the application for preliminary and final minor subdivision of Strabane Manor Lot 306 Revised subject to the Township Engineer's comments. Ms. Phillis seconded the motion. The motion passed on a unanimous voice vote.

Township of South Strabane
Application for Subdivision Approval
Preliminary and Final Approval Review
Minor Subdivision Application - Strabane Manor Lot 306 Revised

An application for Subdivision Approval has been received from Dan Ryan Builders Mid Atlantic, LLC for the Strabane Manor Lot 306 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 October 22, 2019
- Subdivision Plan prepared by Sperdute Land Surveying dated October 22, 2019

CHAPTER 206 SUBDIVISION AND LAND DEVELOPMENT

ARTICLE IV - MINOR SUBDIVISIONS

206-13 APPLICATION PROCEDURE - Completeness Review

§206-13.A.(3) A copy of the applicant's cover letter transmitting the application to the Washington County Planning Commission for review needs to be provided.

206-13A.(11)(e) The signature and seal of the surveyor need to be shown

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.

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

GENERAL COMMENTS

1. The Township may have additional comments.

The application submitted for subdivision contains minor deficiencies that need to be addressed by the applicant. The application was reviewed solely for conformance to Township Ordinance standards. I am recommending both preliminary and final approval of the application for subdivision for Strabane Manor Lot 306 Revised contingent upon the deficiencies being addressed for the November 7, 2019 Planning Commission meeting.

Very truly yours,

KLH ENGINEERS, INC.

CONSIDERATION OF AN APPLICATION FOR PRELIMINARY AND FINAL MINOR SUBDIVISION APPROVAL FOR STRABANE MANOR LOT 401 REVISED

After some discussion, Ms. Phillis moved to recommend the Board of Supervisors approve the application for preliminary and final minor subdivision of Strabane Manor Lot 401 Revised subject to the Township Engineer's comments. Mr. Ursic seconded the motion. The motion passed on a unanimous voice vote.

**Township of South Strabane
Application for Subdivision Approval
Preliminary and Final Approval Review
Minor Subdivision Application - Strabane Manor Lot 401 Revised**

An application for Subdivision Approval has been received from Dan Ryan Builders Mid Atlantic, LLC for the Strabane Manor Lot 401 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 October 1, 2019
- Subdivision Plan prepared by Sperdute Land Surveying dated September 30, 2019

**CHAPTER 206 SUBDIVISION AND LAND DEVELOPMENT
ARTICLE IV - MINOR SUBDIVISIONS
206-13 APPLICATION PROCEDURE - Completeness Review**

§206-13A(11)(e) The signature and seal of the surveyor need to be shown.

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.

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

GENERAL COMMENTS

1. The Township may have additional comments.

The application submitted for subdivision contains minor deficiencies that need to be addressed by the applicant. The application was reviewed solely for conformance to Township Ordinance standards. I am recommending both preliminary and final approval of the application for subdivision for Strabane Manor Lot 401 Revised contingent upon the deficiencies being addressed for the November 7, 2019 Planning Commission meeting.

Very truly yours,

Scott D. Groom, PLS

CONSIDERATION OF A CONDITIONAL USE APPLICATION PURSUANT TO SECTION 245-168.1 OF THE SOUTH STRABANE TOWNSHIP ZONING CODE CONCERNING A PROPOSED FRESHWATER IMPOUNDMENT FACILITY FOR THE PROPERTY LOCATED AT 50 MEADOWS VIEW ROAD (MUNCE WELL PAD) IN THE A-1 ZONING DISTRICT (CONTINUED FROM OCTOBER 3, 2019 MEETING)

Township Solicitor Furman stated that the Public Hearing was formally closed during the October 3, 2019 Regular Meeting, highlighting the Public Record was left open for additional comment and supplemental material to be submitted by the Applicant. A brief discussion regarding the definition of freshwater impoundments ensued. Township Solicitor Furman highlighted the current definition was added during the most recent Zoning Code revision. Ms. Phillis stated that when the definition was added, the scope of locations which could be served by the impoundment was not addressed. Mr. Pozzuto highlighted the use of impoundments has evolved in the natural gas industry over the last decade. Mr. Kopko sought clarification regarding the timeframe of the Conditional Use. Township Solicitor Furman highlighted that if approved, the impoundment facility could be taken down and re-installed ad-infinity as long as it would conform with the specifications granted by the Board in the original application. Assistant to the Township Manager Connors highlighted the conditions which were included with the most recent Conditional Use granted to the Munce Well Pad in 2016. Township Solicitor Furman stated that condition No. 3 specifically permits freshwater tanks on the site.

After some discussion, Mr. Pozzuto moved to enter Range Resources Appalachia, LLC's formal responses to the Township Engineer's comments (dated October 3, 2019) into the Public Record as Exhibit No. 9. Mr. Gordon seconded the motion. The motion carried on a unanimous voice vote.

Mr. Gordon moved to close the Public Record. Mr. Pozzuto seconded the motion. The motion carried on a unanimous voice vote.

Mr. Kopko inquired if the Commission should include any formal conditions to restrict the scope of operations which could be serviced by the freshwater impoundment. Township Manager Stanick highlighted that the Applicant must abide by all parameters set forth in the original application. He stated that moving forward, any changes would require additional approval. Mr. Pozzuto inquired regarding restricting water truck traffic on Township Roads. Mr. Max Junker, representing the Applicant, highlighted that barring an emergency, all water truck traffic would follow the routes outlined in the original application. Mr. Pozzuto highlighted that most water trucks are owned and operated by third-party contractors, and not Range Resources. Mr. Junker highlighted the testimony of Mr. Justin Welker which addressed the matter during the last Regular Meeting of the Planning Commission. Mr. Kopko stated that Range Resources should contact Township Officials in the event of a true emergency which would require water trucks to use alternate routes.

After some further discussion Mr. Pozzuto moved to recommend approval of the Conditional Use Application submitted by Range Resources Appalachia, LLC to construct a freshwater impoundment facility at the Munce Well Pad located at 50 Meadows View Road subject to the following conditions:

- i. Operations serviced by the freshwater impoundment facility shall be limited to the Munce William, Patrick Guyton, Zediker Station, and Wagers Unit Well Pads.
- ii. In the event of an emergency, representatives of Range Resources will contact Township Officials regarding any water truck route alterations regarding Township roads.
- iii. Any alterations to the original application would require additional review and approval.

Mr. Gordon seconded the motion. The motion passed on a unanimous voice vote.

Ms. Phillis suggested that the Board consider a Text Amendment that would restrict usage of freshwater impoundment facilities to the site on which the facility resides. Township Solicitor Furman highlighted that the Planning Commission could make such a recommendation to the Board of Supervisors at any time. Ms. Phillis highlighted the recommendation would have no impact on the action taken by the Commission tonight. Mr. Kopko

stated the Commission should formally consider the recommendation at the conclusion of the items listed on the Agenda.

CONSIDERATION OF AMENDMENTS TO THE TOWNSHIP ZONING MAP AND CODE FOR THE ESTABLISHMENT OF AN R-5 ZONING DISTRICT AND ASSOCIATED LAND USES

Township Manager Stanick reported that in October 2017, Racetrack Road Development L.P., Mulach Steel Corp. and Shelby Corp. (collectively, “Chapman”) filed a petition with the Court of Common Pleas for a Board of Viewers (“Eminent Domain Litigation”) in response to the 2016 decision of the Township denying the proposed Master Plan for the proposed Southport Business Park. He reported that since that time, the Township and Chapman have worked together to come to a resolution on this matter resulting in the following conditions of a mutually agreed upon Consent Order (filed on October 3, 2019):

- The acceptance of a Deed of Dedication for Tanger Blvd. to become a public street; and
- The creation of the R-5 Zoning District and preservation of the C-3 Zoning District.

He highlighted that upon the completion of the aforementioned actions, Chapman will discontinue the Eminent Domain Litigation.

Township Manager Stanick reported that at its meeting on September 24, 2019, the Board of Supervisors accepted the Deed of Dedication for Tanger Blvd. to become a public street. He stated that this action allows for the future development of the Southport Business Park under the Revised Master Plan, which was approved per the terms of the Consent Order. He highlighted that pursuant to the Revised Master Plan, the 152-acre Business Park will be comprised of 9 lots, three of which will be zoned R-5 and the remaining lots are to be maintained as C-3. He also highlighted that as the Business Park is developed, Southport Dr. will also become a public road. He stated the Board of Supervisors, at the September 24th meeting, directed the Planning Commission to provide a recommendation concerning the establishment of the R-5 Zoning District in preparation for a Public Hearing on November 19th.

Township Manager Stanick continued by reporting the existing C-3 District was originally created to accommodate shopping, lodging, entertainment and supporting facilities that are regional attractions and tourism destinations in areas immediately accessible to the regional highway network and the Meadows Race Track. He stated that in 2015, it was determined the C-3 District was being underused and underserved and, with Ordinance 2-2015, the Township amended the Zoning Code, upon the submission of an application from Chapman, to rename the C-3 District as the “Mixed Use” District allowing additional uses, including light manufacturing.

He highlighted a compromise between the Township and Chapman regarding the land use adjacent to the R-4 District (Strabane Manor) resulted in the establishment of the R-5 District, an approximately 66-acre area of Parcel No. 600-001-00-00-0013-00. He reported that the Board determined this area is not suitable for light manufacturing as permitted in the C-3 District and is more suitable for other types of uses as currently permitted in the R-4 District. He stated that in order to allow a more transitional zoning and land use pattern, the R-5 District (high density residential/mixed-use) was created to buffer the existing R-4 District from light manufacturing uses that are permitted in the C-3 District.

Township Manager Stanick concluded by reporting with the establishment of the standards and associated land uses for the R-5 District, an amendment to the Township’s Zoning Map will also be made illustrating the 66-acre area comprising the R-5 District.

Mr. Pozzuto expressed his concerns regarding the limited number of permitted uses within the proposed R-5 Zoning District. Township Manager Stanick noted the details of the presented proposal were negotiated between the Township and Chapman during the litigation process. Mr. Kopko highlighted his concerns with the Township’s lack of autonomy in the proposed zoning district. Township Manager Stanick highlighted that with the majority of permitted uses being conditional, the Township retains considerable oversight over uses in the

proposed R-5 Zoning District. Ms. Alice Mitinger, representing Chapman Properties, came before the Commission to address any questions or concerns regarding the proposal. She highlighted that Chapman understands and supports the Township's desire to implement a more stringent review and approval process through Conditional Uses for the R-5 Zoning District. Mr. Pozzuto stated that many of the proposed uses are not consistent with a residential zoning district. Township Manager Stanick reviewed the proposed uses, highlighting that they are consistent with the Township's Comprehensive Plan. He then reviewed the following objectives of the Comprehensive Plan which would be accomplished with the establishment of the proposed R-5 Zoning District: i) Land Use and Housing Vision (objectives 1&4); ii) Economic Vitality Vision (objective 5); and iii) Community Resources Vision (objective 10). Mr. Pozzuto also noted his concerns with the lack of connectivity of the Chapman Development with the rest of the Township's infrastructure. Ms. Phillis highlighted the limitations of Fischer Road. Township Manager Stanick stated that the Township establishing a right-of-way to Shawnee Drive for future connectivity will be essential during the land development and subdivision process. A discussion concerning an emergency access road ensued.

After further discussion, Mr. Gordon moved to recommend the Board of Supervisors amend the Township's Zoning Map and Code for the establishment of the R-5 Zoning District and associated land uses. Ms. Phillis seconded the motion. The motion carried on a unanimous voice vote.

REVIEW AND EVALUATION OF THE TOWNSHIP'S LAND DEVELOPMENT AND ZONING REQUIREMENTS CONCERNING GREEN SPACE, LANDSCAPING, AND STEEP SLOPES

Assistant to the Township Manager Connors stated there was no new material to be reviewed at this time. He highlighted that newly appointed Township Engineer Groom and Staff will be working together to present new material for the Planning Commission's consideration at the December Regular Meeting.

REQUEST FOR BOARD ACTION

Ms. Phillis moved to recommend that the Board direct the Planning Commission review the Zoning Code concerning the requirements and regulations of Freshwater Impoundment Facilities. Mr. Gordon seconded the motion. The motion carried on a unanimous voice vote.

Adjournment

There being no further business to come before the Board, Mr. Gordon moved to adjourn the meeting at 8:05 p.m. Mr. Pozzuto seconded the motion. The motion passed on a unanimous voice vote.

Respectfully,

Patrick M. Connors
Assistant to the Township Manager

