

**RICHLAND TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
MONDAY, SEPTEMBER 17, 2007**

MEMBERS:

Tim Gaichas - Chairman
Jim McChesney - Vice Chairman
Robert Goetz
Joseph Pillart
Diane Pontoriero

OTHERS PRESENT:

Dean Bastianini - Township Secretary
Suzanne Owens - Recording Secretary
Joseph C. Tassone - Echo Real Estate
Phil Bishop - Echo Real Estate
Members of the audience - 2

This meeting of the Planning Commission was called to order by Mr. Gaichas on September 17, 2007 at 7:00 p.m.

Mr. Goetz made a motion to approve the minutes from the Special Planning Commission Meeting of September 4, 2007. The motion was moved and seconded by Ms. Pontoriero and approved by all. Mr. Pillart abstained, not being present at the meeting.

UNFINISHED BUSINESS

Joanne Sarver – Consideration of a two lot subdivision for property situated at 4171 Bakerstown Road.

The Planning Commission acknowledged receipt of a letter written on behalf of Mrs. Joanne Sarver waiving the deemed approval deadline of her subdivision until December 1, 2007. Mr. Goetz made a motion to table this item. The motion was seconded by Ms. Pontoriero and approved by all.

Echo Richland Associates - Sonic Restaurant - Preliminary and Final Land Development Plans for a fast food restaurant.

Mr. Philip Bishop and Mr. Joe Tassone, Echo Real Estate Services Company, presented revised plans dated September 9, 2007 for a Sonic Restaurant on Lot No.6 of the Grandview Crossings Plan. They explained that in August the Zoning Hearing Board had approved a Special Exception Use for the restaurant and that they would be returning to the Zoning Hearing Board to request a variance from the dimensional requirements for ground signs. They also presented a letter dated September 17, 2007 which contained responses to the two remaining lighting questions raised by Mr. Scott Shoup. Mr. Bishop explained the modifications which have been made to the site plan as a result of input received at the Planning Commission meeting on August 20, 2007. He also explained the conditions of approval established by the Zoning Hearing Board. These changes included:

- The addition of handicapped ramps adjacent to Grandview Drive,
- The installation of three trees in the yard area adjacent to Grandview Drive, and

- Compliance with the three conditions of approval established by the Zoning Hearing Board pertaining to: 1) lighting, 2) the sound system not causing a nuisance to residential properties, and 3) additional landscaping to screen the restaurant's parking and delivery loading areas.

Next, Mr. Bishop presented three new pieces of information:

1. The canopy over the outdoor seating area will be made of an opaque canvas material instead of aluminum as previously presented.
2. The lights in the outside seating area shall be up-lit. The wattage of the bulbs has been decreased from 400 watts to 175 watts.
3. The lights under the parking canopy shall be 100 watts instead of the 70 watt bulbs shown on the lighting plan.

This new information caused the Planning Commission members to ask a series of questions regarding the building's lights and photometric plan for the development. The Planning Commission also focused a lot of attention on the volume of the sound from the speakers which will be mounted in the twenty-five (25) proposed menu boards.

Mr. Tassone presented a table indicating the decibel levels which will be audible at various distances from the speaker. The table also included a chart depicting the volume of sound which would be audible when an "AVC" automatic volume control was in operation. This control would adjust the volume based on the outdoor ambient noise level.

At the conclusion of the discussion Ms. Pontoriero made a motion to grant preliminary and final land development approval to the plans dated September 4, 2007 with the following conditions. The motion was seconded by Mr. Gaichas and approved by all.

1. Compliance with all previously established conditions of the Zoning Hearing Board, Planning Commission and Township Engineer.
2. The landscaping plan will be amended to include mulching of all planting beds and the inclusion of seasonal planters as depicted in the restaurant color renderings.
3. Payment at the time of building permit application of a Transportation Impact Fee in the amount of \$32,500.
4. The canopy material over the outside eating area shall be a 100% opaque. If at any time it is not 100% opaque it shall be replaced with a 100% opaque material.
5. The settings of the individual speakers in the menu boards shall at all times be set at the lowest volume consistent with the AVC active chart depicted below.

Distance from the Outside Speaker	Decibel Level of standard system with 45 dB of outside noise with AVC active
1 foot	60 dBA
2 feet	54 dBA
4 feet	48 dBA
8 feet	42 dBA
16 feet	36 dBA

6. Consistent with the Special Exception Approval of the Zoning Hearing Board the Township and the developer should agree to work together to remedy any problems stemming from the speaker's volume being either too low for the reasonable use of Sonic customers, or so high that it causes a nuisance to adjoining residents.
7. Only exterior lights depicted on the photometric plan are hereby approved. Said lights shall comply with Township regulations and be subject to field testing. The following conditions shall apply to specific lights identified on the lighting plan. 1) Type B lights shall be limited to two, and shall be equipped with cube shields. The wattage of Type B bulbs shall not exceed 175 watts. 2) The brightness of Type A bulbs shall not exceed 100 watts. 3) All wall mounted lights, including Type D, shall be full cutoff, flat lens, and 4) fixtures type E & F shall be equipped with house side shields.
8. No external LED or neon lights are included in this approval, nor are any illuminated canopies or other types of illuminated solid surfaces. The painted, aluminum deck over the outside parking service areas shall contain no illuminations and shall be designed so that no light is omitted at all.
9. All exterior lights with the exception of two (2) security lights shall be turned off within approximately twenty minutes after employees leave the premises.

Echo Richland Associates – Texas Roadhouse Restaurant – Consideration of preliminary land development plans to construct a restaurant.

A letter from Mr. Joseph Tassone, Echo Real Estate Services Company, dated September 10, 2007, was placed into the record. This letter notified the township that they would be willing to extend the deadline for deemed approval to November 22, 2007. As the plans were not ready, Mr. Tassone requested that they be tabled. Mr. Goetz made a motion to table this item. The motion was seconded by Ms. Pontoriero and approved by all.

Cleveland Richland Partners – Consideration of revised final sub-division plans for Colony Courts, Phase 3, Lot 33.

Since the developer had not responded to the issues in Mr. Shoup's September 11, 2007 review letter, Mr. Gaichas suggested the item be tabled. Mr. McChesney made a motion to table this item. The motion was seconded by Ms. Pontoriero and approved by all.

NEW BUSINESS

None

OTHER BUSINESS

Mr. Bastianini reported that the Board of Supervisors authorized the township solicitor and him to work together to update the lighting regulations. He also reported that he has continued to work with Carolyn Yagle of EPD on revisions to the proposed Zoning Ordinance.

Mr. Goetz questioned why Imperial Cleaners, which has received an occupancy permit for a new addition, still needs an outside storage trailer. The members asked Mr. Bastianini to check when the approval for a trailer on the Zottola Landscaping property is due to expire.

There being no further business, the meeting was adjourned at 8:34 p.m.

Approved by:

Respectfully submitted,

Tim Gaichas, Chairman

Suzanne Owens, Recording Secretary

Cc: Richland Township Board of Supervisors
Zoning Hearing Board