

**RICHLAND TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
MONDAY, OCTOBER 15, 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
Joanne Sarver - Resident
Alexander Bunson - Attorney
John Frydrych – National Survey & Engrg.
Wendy Fulton – The Keith Corporation
Members of the audience - 6

The meeting of the Planning Commission was called to order by Mr. Gaichas on October 15, 2007 at 7:10 p.m.

Ms. Pontoriero made a motion to approve minutes from the Planning Commission Meeting of September 17, 2007. The motion was moved and seconded by Mr. Goetz and approved by all.

CORRESPONDENCE

A letter dated October 2, 2007, from Jerry Reichart, Acting Zoning Officer, to Mr. Carmen Fusca, Imperial Cleaners, was entered into the record. The letter informed Mr. Fusca that the shipping container on his property must be removed by October 17, 2007.

A letter dated September 28, 2007, from A. R. Building Company to Richland Township was entered into the record. The letter requested information about zones and districts within the township that are already zoned for PRD, as well as multi family construction, and also have sewer and water.

UNFINISHED BUSINESS

Joanne Sarver – Consideration of preliminary and final plans for a two lot subdivision for property situate at 4171 Bakerstown Road. Plan last revised June 18, 2007.

Ms. Sarver stated she appeared before the Zoning Hearing Board on September 18, 2007, and at that time her request for five variances was approved. Entered into the record was the Zoning Hearing Board's approval letter dated September 20, 2007, and Shoup Engineering's review letter dated October 10, 2007, which stated that there were no outstanding issues. Prior to making a motion, Mr. Goetz questioned why a rear lot line variance was not requested for Lot #1. Mr. Bastianini explained that since one of the houses on Lot #1 was already within 60 feet of the rear property line, it is already nonconforming. Since the proposed subdivision does not worsen the condition, a variance is not necessary. Mr. Gaichas requested this be checked.

In light of the variances granted by the Zoning Hearing Board, and in recognition of the fact that the dwellings on Lot #1 were constructed prior to the adoption of a zoning ordinance in Richland Township, Mr. Goetz made a motion to approve the preliminary and final subdivision plans (revised date June 18, 2007) as presented, provided no additional units shall be constructed on Lot #1. The motion was seconded by Ms. Pontoriero and approved by all.

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

A letter dated October 4, 2007, from ECHO Real Estate, agreeing to extend the deadline to act on the plan to December 20, 2007 was entered into the record. Mr. Goetz made a motion to table this item. It was moved and seconded by Ms. Pontoriero and approved by all.

Cleveland Richland Partners – Consideration of revised final land development plans for Lot #33, Colony Courts Plan, Phase III.

A letter from Mr. Stuart Barmen, dated October 11, 2007, accepting Scott Shoup's recommendations for approval was entered into the record. Mr. McChesney explained that he had worked on this project and would therefore abstain from voting. Ms. Pontoriero made a motion to approve the preliminary and final land development plans revising Lot #33 within Phase III of the Colony Courts North plan (revised date September 18, 2007) as presented with the following conditions: 1. Payment at the time of the building permit application of a Transportation Impact Fee in the amount of .52 trips/unit. 2. If decks are constructed in the future, no post footings shall be located more than 8 feet from the rear wall as shown on the plans. 3. Roof leaders carrying rain runoff from the units shall be extended so that surface discharge occurs below the toe of the fill slope and shall be discharged into energy dissipating rip rap. The motion was seconded by Mr. Pillart and approved by all. Mr. McChesney abstained.

NEW BUSINESS

James A. and Mary A. and Christopher A. Russell – Richard and Lisa Maleski – Consideration of final plans for a minor subdivision within Phase 2 of the Wedgewood Plan to re-establish Lot #211 from parts of Lot #210R and Lot #212R.

Attorney Mr. Alexander Bunson, representing both parties, made the presentation. Mr. Bunson stated his clients want to perform a reverse subdivision by returning the two lots back to the original three. Mr. Gaichas questioned whether there would be any lot line revisions and if there were any structures within the area to be conveyed to the third lot. Mr. Bunson replied there were no structures within the area and the end result would return the three lots to the original configuration in the approved plan. Mr. Goetz made a motion to approve the preliminary and final plans (dated March 2, 2007) as presented with the condition that Lot #211 will be subject to the payment of a Transportation Impact Fee at the time of the building permit application. Mr. McChesney seconded the motion and it was approved by all.

Tractor Supply Company – Review of a sketch plan for a proposed Tractor Supply Store on property owned by Mario Zotolla located on Wm. Flynn Hwy. (Rt. 8) adjacent to Parkview Estates Plan in a C-3 District.

Mr. John Frydrych of National Survey & Engineering and Wendy Fulton of The Keith Corporation were in attendance representing the Tractor Supply Store. They presented the following information:

1. Tractor Supply Company is considering a new 19,000 sq.ft. store, with a 24,000 sq.ft. outdoor display area, which would be located on 4.7 acres of land in the C-3 district, which is owned by Mario Zotolla.
2. Access from Rt. 8 would be via the Heckert Road traffic signal and Zotolla's existing driveway.
3. The store would require subdivision and special exception approval.

Mr. Scott Shoup's plan review letter of October 10, 2007, was also discussed. This led to consideration of several technical issues pertaining to the proper identification of the owner of the property, the need for cross easement agreements for the driveway and the status of the sanitary sewer line, which would service the store. The Planning Commission members raised a series of questions pertaining to the following subjects and the plans compliance with various Township rules and ordinances:

Grading of the site,

Storm water management,

The type of equipment to be shown in the display area and the type of fence enclosing the area,

Preservation of existing vegetation and trees,

Landscaping/buffers adjacent to residential properties,

Exterior lighting,

Off and on-site signage,

Enclosure of dumpsters,

Noise (use of loud speakers),

Removal of the sales trailer on the Zotolla property (approval due to expire February 2008),

The dedication of right-of-ways for the future extension of sanitary sewers to upstream properties,

Parking (The developer shall provide a report documenting the number of parking stalls available at similarly sized Tractor Supply Stores at other locations.) The information may be used to justify a request for a lower number of stalls.

Exterior building materials (recommendation that earth tone colored brick be used to blend in with existing neighborhood),

Roof materials (shrouding of mechanical equipment placed atop the building),

The need for sidewalks leading to Heckert Road.

The Planning Commission indicated their willingness to approve a reduction in the number of parking spaces, provided such a reduction resulted in less earth moving work and the preservation or creation of additional wooded buffers.

Preliminary plans are expected to be submitted by December 2007 or January 2008. Mr. Gaichas suggested that the developer review the proposed updates to the zoning ordinance to determine if there are any issues, in the event the updates are adopted prior to plan submittal.

OTHER BUSINESS

Mr. Gaichas asked about the status of the proposed zoning ordinance. Mr. Bastianini reported that Carolyn Yagle of EPD is working on a list of revisions. Once they are approved by her supervisor they will be submitted to the Township.

Mr. Bastianini reported that the Board of Supervisors had authorized the advertisement of a pending ordinance banning the illumination of canopies in the Township. A public hearing on the ordinance will be held on November 7, 2007. Mr. Gaichas questioned whether the request of the Planning Commission to revise the lighting regulations was still under consideration or whether the proposed ban on canopies was the end result of the initiative. Mr. Bastianini responded that the canopy ordinance was advocated by members of the Board of Supervisors separate from the Planning Commission's recommendation pertaining to other types of lighting revisions. Mr. Bastianini also explained that the developers of the Get-Go store felt that they were entitled to illuminate the canopy over the fueling stations and had proposed a test lighting of a portion of the canopy utilizing a screen which would reduce the intensity of the light.

Mr. Gaichas asked if the test would occur during a public meeting. He also stated that a decision of this type should not be made in a vacuum and that it would be reasonable and appropriate for residents to be made aware of the test so that they could make their opinions known to their elected officials. Mr. Gaichas asked the other members of the Planning Commission if they would be interested in viewing the test as a group. They indicated that they would. At the conclusion of the discussion the Planning Commission requested that the Secretary ask if the test could be

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performed on the night of the next Planning Commission meeting (November 19, 2007) so that the Planning Commission could view the lights as a group during the public meeting.

There being no further business, the meeting was adjourned at 8:38 p.m.

Approved by:

Respectfully submitted,

Tim Gaichas, Chairman

Suzanne Owens, Recording Secretary

sro/deb

cc: Richland Township Board of Supervisors
Zoning Hearing Board