

**MINUTES
REGULAR MEETING
MARCH 2, 2015 7:15 PM**

**MARSHALL TOWNSHIP BOARD OF SUPERVISORS
525 PLEASANT HILL ROAD
WEXFORD, PA 15090**

The following persons were present:

SUPERVISORS: Thomas Madigan, Chairman
Philip Troy, Vice Chairman
Jason Bragunier
Richard Scavo (Absent)
Anthony (Jack) Candek

MANAGER: Neil D. McFadden

ENGINEER: Art Gazdik, P.E.

PLANNING DIR: Nicole Zimsky, AICP

SOLICITOR: Blaine Lucas, BCCZ

TWP. SECRETARY: Sheryl Snyder

OTHERS: Heidi Smith, Adelman Reporters and 13 Others

1. Call to Order - The meeting was called to order at 7:15 p.m.

2. Pledge of Allegiance - All rose to recite the Pledge of Allegiance.

3. Public Comment

Francios Bitz, 1640 Pleasant Hill Road, approached the Board to raise his issues and concerns regarding the proposed wireless communication facilities ordinance. Mr. McFadden responded this is a proposed ordinance that will come before the Board for possible adoption. The proposed ordinance is still in the Planning Commission phase.

4. Consent Agenda

4a. Minutes

Regular Meeting (February 2, 2015) – No corrections or additions were made.

Agenda Meeting (February 23, 2015) – No corrections or additions were made.

4b. Expenditures

Month of February 2015 – No corrections or additions were made.

4c. Announcements

- Mr. McFadden informed the Board of the final arrangements for Diane Scavo. Diane will be laid out at George Thoma Funeral Home located on Perry Highway on Sunday, March 15 from 1 to 4 and 6-8. There will be a Funeral Mass on March 16 at 1:00 PM at St. Catherine of Sweden Church.

4d. Reports

Police – Report Forthcoming.

Police Board Liaison – Nothing to report at this time.

Firemen – Report Forthcoming.

Fire Company Liaison – Nothing to report at this time.

Public Works Director – Written report submitted.

Zoning Officer – Written report submitted.

Building Inspector – Written report submitted.

O.E.M. – Written report submitted.

Recreation Director – Written report submitted.

Recreation Liaison – Mr. Troy indicated a third meeting was held with the landscape architects for Altmeyer Park after receiving an additional set of comments. The landscape architect originally presented two alternatives at the second meeting. We put those together and they came back and showed that to us and there was a very positive reception. We are still trying to get public comments and involvement. Mr. Troy believes there will be a meeting on March 10, 2015 at 2:00 p.m. at the Municipal Building.

Northland Library Board – Written report submitted.

MTMSA Liaison – Mr. Troy noted MTMSA has come to an agreement with Cranberry regarding the plant expansion, but the agreement is in the process of being executed. MTMSA sent back a proposal offer and Cranberry should accept it shortly.

COG Liaison – Nothing to report at this time.

ACATO – Nothing to report at this time.

Police Pension Board – Nothing to report at this time.

Mr. Madigan recommended a motion to approve all items on the Consent Agenda as submitted/amended. Mr. Troy moved to approved, seconded by Mr. Bragunier; vote in favor was unanimous [4-0].

5. Engineer's Report

- Bond Status
 - Venango Trails Phase I Performance LOC Reduction Request. Remaining balance to Remain as 18-Month Maintenance Security – Mr. Gazdik stated this is a reduction to the maintenance bond. The original bond was for \$1,970,699.50. There were previous reductions that left a balance of \$220,535.25. The current request is for \$89,126.20. This will leave a remaining balance of \$131,410.05, which is adequate to cover the storm sewer and roadway maintenance security as required by the Developer's Agreement. Mr. Gazdik has certified that all work has been completed

and is satisfactory and recommends approval of this reduction contingent upon payment of all fees owed to the Township. Mr. Madigan recommended a motion to accept Mr. Gazdik's recommendation and approve the requested release of the LOC for Phase 1 in the Venango Trails land development plan as set forth in the Engineer's memo of February 27, 2015 subject to the conditions stated therein. Mr. Troy moved to approve, seconded by Mr. Candek; vote in favor was unanimous [4-0].

6. Manager's Report

6a. 2014 Audit of Township Funds - The 2014 audit is complete. The DCED filing has been completed and an ad will be placed later this week as required to conclude that process.

6b. Request for Proposals for Investment Managers - Mr. McFadden and Mr. Edwards conducted their last interview March 2, 2015. A recommendation will be provided to the Board at the March Agenda meeting.

6c. Thorn Hill Bridge Closing - The Thorn Hill Bridge will be closing 3/16/2015, which is two weeks from today. The closing is expected to last six months.

6d. Letter from Allegheny County - A letter from Allegheny County was received 3/2/2015 confirming that they will use the municipal building for a polling place for Voting Districts 2 & 4 beginning with the Primary on May 19 of this year.

7. Legal Matters

Nothing to report at this time.

8. Unfinished Business

None.

9. PLANS

9a. Venango Trail Plan of Lots #5; SUB-FIN14-26; 1305 Freeport Road, plans dated 11/11/2014; deadline: 3/31/2015 – Ms. Zimsky indicated the proposed plan reconfigures lots in Phases 2, 3, 4, and 5 of the Venango Trails Development to meet market demand. Phase 2 changes include the conversion of 6 Cottage Homes to 8 Village Homes (Lots 332-337). The phase 3 changes take 12 Cottage Homes and make them Village Homes (Lots 442-444). Phase 4 changes 60 units (16 Village Towns, 18 Village Homes, 24 Cottage - 50' and 2 Cottage - 70') and makes 57 units (8 Village Towns, 32 Village Homes, 6 Cottage - 65' and 11 Cottage - 70'). Finally, Phase 5 eliminates the bridge and associated wetland impacts at Cayuga Circle. As vehicular access is being eliminated from Cayuga Circle, the developer is upgrading Aleah Drive and access to Phase 5 will be directly from Aleah Drive. In proposed Phase 5, 7 Cottage Homes and 40 Garden Homes become 86 Village Towne Homes. These changes, if approved, will take the Venango Trails unit count to 504 units, one unit short of the 505 court approved unit count. This plan was before the Planning Commission on December 2, 2014 and they voted unanimously to recommend approval [7-0]. The applicant is seeking three modifications from the Board of Supervisors:

1. **Section 174-404.B.1.** Minimum intersection spacing for minor streets is one hundred and twenty five (125) feet.
COMMENT: The intersection of Hemlock Lane and Otisco Lane is located only ninety (90) feet from the intersection of Hemlock Lane and Aleah Drive. The Applicant is seeking a modification from this requirement.
2. **Section 174-404.B.3.4.** A “T” hammerhead or a turnaround need to be provided.
COMMENT: The Applicant is seeking a modification from this requirement.
3. **Section 174-404.H.2.** Horizontal curves. A minimum center-line radius of one hundred twenty-five (125) feet will be required for all horizontal curves on local streets.
COMMENT: Like the rest of the Venango Trails development the developer is proposing streets that run in a rectilinear system. This rectilinear road layout operates with stop sign controlled intersections for safety. The Applicant is seeking a modification from this requirement.

Planning Commissions concerns included: safety of the entrance at Aleah Drive and Freeport Road, the flow of traffic within Phase 5, the use of stop signs at intersections as well as access for emergency vehicles and the trash collection vehicles. Limited discussion among the Board regarding these issues took place as well. Eric Newhouse, Project Manager approached the Board and explained the phase changes taking place among detached and attached units. Short discussion took place regarding possible stacking at the intersection within the development and the intersection at Aleah Drive and the road improvements required to Aleah Drive extending to the property line. Mr. Madigan made a motion to approve the recommended waiver for the distance between the intersection of Aleah Drive and Otisco Drive conditioned that the pavement along Aleah Drive is extended to the property boundary. Mr. Troy moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [4-0]. Mr. Madigan made a motion to approve the waiver from Section 174-404.B.3.4. Mr. Troy moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [4-0]. Mr. Madigan made a motion to approve the waiver from Section 174-404.H.2. Mr. Troy moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [4-0]. Mr. Madigan made a motion to approve Venango Trail Plan of Lots #5 subject to the conditions set forth in Ms. Zimsky’s February 26, 2015 memorandum. Mr. Troy moved to approve, seconded by Mr. Candek; vote in favor was unanimous [4-0].

9b. Public Hearing - Thorn Hill Associates; CU14-03; Use of Hotel, Motel and Hotel-Motel Office Complex; Brush Creek and Knob Road; plans dated 7/22/2014; deadline: 3/31/2015
–Mr. Lucas recommended we have two Conditional Uses. A subdivision and a land development plan of a fairly significant project that are all inter-related, so Mr. Lucas suggested that one, the two conditional use hearings can be consolidated and handled all in one. Secondly, a better approach would probably be to go through the entire conditional use hearing combined on those two items recognizing that you are going to be discussing aspects of the land development plan as part of that because they are so intimately related, then close the public hearing and consider action whether it is tonight or at a later date on

each conditional use, the subdivision plan, and then the land development plan. Mr. Madigan opened the public hearing at 8:45 p.m. Heidi Smith swore in those wishing to testify. Mr. Lucas included in the record: the Township Zoning Ordinance and Map, the conditional use application 14-03 and all materials that were submitted with it, the conditional use application 14-06 and all materials there were submitted with it, all staff review letters and any responses to those review letters by the applicant or its consultants, the Planning Commission recommendation minutes, letter, proof of publication of the conditional use hearings, evidence of positing of the conditional use hearings, and all correspondence to the County and any responses from the County.

The following is a summary of the hearing. Transcript of hearing to be provided by Adelman Reporters and placed in file for future reference.

Ms. Zimsky stated for Conditional Use 14-03 the applicant is seeking conditional use approval to construct four hotels on land located in Thorn Hill Industrial Park. The developer has submitted land development plans and intends to construct the following: Hotel 1, 102-rooms, 2015; Hotel 2, 94-rooms, 2016; Hotel 3, 96-rooms, 2017; and Hotel 4, 100-rooms in 2018. The developer is also proposing to construct 418 parking spaces to accommodate the parking needs on the site. This proposed project is located on Parcels 56 and 63R, along Brush Creek Road, in the Thorn Hill Industrial Park. The property is located in the Planned Industrial Park (PIP) District. Hotel, Motel and Hotel-Motel Office Complex is a conditional use in the PIP District.

Ms. Zimsky stated for Conditional Use 14-06 the applicant is seeking conditional use approval to construct four hotels in an area designated as lying within the Floodplain Overlay District. The developer intends to construct the following: Hotel 1, 102-rooms, 2015; Hotel 2, 94-rooms, 2016; Hotel 3, 96-rooms, 2017; and Hotel 4, 100-rooms in 2018. The developer is also proposing to construct 418 parking spaces to accommodate the parking needs on the site. This proposed project is located on Parcels 56 and 63R, along Brush Creek Road, in the Thorn Hill Industrial Park. The property is located in the Planned Industrial Park (PIP) District. Hotel, Motel and Hotel-Motel Office Complex is a conditional use in the PIP District.

Consideration: After lengthy discussion regarding the development, the Board decided to continue the public hearing to April 6, 2015.

9c. Public Hearing - Thorn Hill Associates; CU14-06; Development Within the Floodplain Overlay District; Brush Creek and Knob Road; plans dated 11/14/2014; deadline: 3/31/2015 - This public hearing was combined with the above-captioned hearing. The Board decided to continue the public hearing to April 6, 2015.

9d. Thorn Hill Associates, LP; SUB-FIN14-16; Brush Creek and Knob Road, plans dated 7/31/2014; deadline: 3/31/2015 - This item has been tabled to April 6, 2015.

9e. Thorn Hill Associates, LP; SP(LD)14-06; Brush Creek and Knob Road, plans dated 7/22/2014; deadline: 3/31/2015 - This item has been tabled to April 6, 2015.

9f. Village at Marshall Ridge – Lot 12 Revised; SUB-FIN15-03; Carver Drive, plans dated 1/27/2015; deadline: 6/01/2015 – Ms. Zimsky indicated this is a fast-track approval. This plan is a subdivision along the party walls of the townhouses on Lot 12 in the Village at Marshall Ridge development. Ms. Zimsky mentioned a joint memo with Mr. Gazdik dated February 26, 2015 has been prepared and there are no comments other than the standard solicitor comments. Mr. Madigan made a motion to approve the plan conditioned in Ms. Zimsky and Mr. Gazdik's joint memo dated February 26, 2015. Mr. Bragunier moved to approve, seconded by Mr. Troy; vote in favor was unanimous [4-0].

10. New Business

10a. Traffic Signal Maintenance Agreement with Cranberry Township. Motion to Authorize Chairman's Signature of Annual Renewal – Mr. McFadden stated his agreement requires a motion to authorize the Chairman's signature on the Annual Renewal. This is for maintenance of a couple of traffic signals on the Route 19 corridor. Mr. McFadden recommended continuation of this arrangement. Mr. Madigan moved to authorize Chairman's signature on the Annual Renewal. Mr. Bragunier moved to approve, seconded by Mr. Troy; vote in favor was unanimous [4-0].

10b. Proposal for Preliminary Engineering Services: Brush Creek Road Northbound Right Turn Lane (Project 2-WE) – Mr. McFadden mentioned this is to authorize Trans Associates to do preliminary engineering on Brush Creek Road. This is part of Project 2WE. We found that engineering the Thorn Hill widening, there were a couple of right of way issues and signal issues that came up to involve the opposite corner on the Brush Creek Road project. We are asking for preliminary engineering. Mr. Madigan made a motion to authorize Trans Associates to perform preliminary engineering on Brush Creek Road. Mr. Bragunier moved to approve, seconded by Mr. Candek; vote in favor was unanimous [4-0].

10c. Resolution to Accept All Public Improvements in Phase I of Venango Trails PRD. Possible Motion – Mr. Gazdik indicated this is a resolution to accept all public improvements in Phase 1 of Venango Trails PRD. Mr. Gazdik stated Phase 1 meets all the requirements and is acceptable for the Township to take over. Mr. Madigan made a motion to adopt Resolution No. 876 accepting dedication of all public improvements in Phase 1 improvements in the Venango Trails planned residential development to include portions of Venango Trail, Seneca Place, Cuyuga Circle and Osana Lane and all of Wehkeena Road and stormwater management facilities conditioned on the continuation and transference of the remaining amount of the letter of credit for the maintenance security. Mr. Troy moved to approve, seconded by Mr. Candek; vote in favor was unanimous [4-0].

10d. Resolution to Approve the Amended and Restated Loan and Security Agreement Between the Marshall Township Municipal Sanitary Authority and the Township of Marshall. Possible Motion – Mr. McFadden requested the Board table this Resolution. Mr. Madigan made a motion to table the resolution. Mr. Bragunier moved to approve, seconded by Mr. Troy; vote in favor was unanimous [4-0].

11. Correspondence

None.

12. Seminars

None.

ADJOURN

Since there was no further business to come before the Board, at 11:19 p.m., the meeting adjourned. Motion by Mr. Madigan, seconded by Mr. Bragunier ; vote in favor was unanimous [4-0].

Respectfully submitted,

Sheryl Snyder