

**Marshall Township  
Planning Commission**

**525 Pleasant Hill Road  
Wexford, PA 15090**

**March 1, 2016 - 7:00 PM**

---

**Present:** David Pampena, Larry Payne, Elaine Hatfield, Ron Baling and Todd Shaffer

**Absent:** Jeff Davison, Kim Herbert

**Planning Director/  
Zoning Officer:** Nicole Zimsky

**Engineer:** Art Gazdik

**Secretary:** Sandy Bauer

**Solicitor:** Blaine Lucas

**Others:** John Hunsicker, Jim Green, Katherine Cienciala

---

Ron Baling called the meeting to order at 7:05 p.m.

**MINUTES**

Approval of the February 2, 2016 Meeting Minutes.

Mr. Shaffer noted the need for a correction to the February 2, 2016 Planning Commission meeting minutes that involved the changing of a street name from Rt. 19 to Harmony Rd.

***Mr. Shaffer moved to approve the minutes with the noted correction. Mr. Payne seconded. Mr. Pampena and Ms. Hatfield abstained. The motion was carried.***

**PLAN(S)**

- ❖ The Waters Senior Living; SP(LD)16-01; Fowler Road and Perry Highway, plans dated 2/22/2016; **deadline: 8/1/2016**

John Hunsicker, with the Waters, presented the plan. He first gave an overview of The Waters brand and the reasons why they chose Marshall Township for this development. There will be 146 units and will be comprised of studio apartments, one bedroom units and 2 bedroom units. There will be an RN in the building at all times and will be rented utilizing an a la carte model.

He then described the positive community impact that the development will have including job creation, aiding in turnover of housing stock and increasing the tax base. He gave a prospective timeline for construction.

Katherine Cienciala with Perkins Eastman then took the podium to discuss general site plan specifics such as layout, road access, landscaping and architecture.

Jim Green with GAI Consultants gave additional details regarding the civil site plan. This included the grading and addition of fill, access to the site, storm water retention specifics, the location of the borrow area and the landscape plan. He described the retaining wall intended to avoid negative impact on natural resources. There will be 12 ft. of fill brought in to raise the building up, allow access to the sanitary sewer and allow drainage to reach the storm water pond. Mr. Green used visual aids to illustrate possible borrow sites for fill; however it has not been decided how the material will be procured. They intend to buffer the site from Rt. 19 visibility using extensive plantings and landscaping.

Mr. Shaffer asked about the trail which runs along the access road on the southern end of the property. Is it meant to replace the sidewalk? Mr. Green explained that running a pedestrian trail along Rt. 19 would not be viable. Mr. Pampena asked about a fuel containment unit for a generator. Mr. Hunsicker noted that it is self contained. He also inquired as to additional emergency services call outs and if there is a high frequency of such calls. Mr. Hunsicker stated that an internal call is made first. He had no numbers to compare to other types of properties. Mr. Payne asked about parking composition. Mr. Hunsicker stated that the goal is to have 1 to 1 parking for independent living residents underground. Personal care residents have a low likelihood of having a vehicle. Generally, staff parking is typically on the surface along with visitor parking. With 133 parking spaces, this should be plenty.

The elevation of the building was discussed. The height measures 55 ft. when measured from the first floor to the mid-slope. The Township code requires measures building height from the parking garage level, the building is 65 ft. tall. Therefore, building is 15ft. over in height. Mr. Shaffer is concerned about setting a precedent for going that much over the building height restrictions. He proposes reconfiguring the roof to lessen its height.

Ms. Zimsky read her letters.

I. **SP(LD)16-01: Waters Senior Living – Land Development Application:**

The applicant is seeking land development approval to construct a 143-150 unit senior living/assisted living facility. The facility is proposed on Perry Highway, just south of the Fairmont Square Development. The property is zoned Route 19 Boulevard (RB). Assisted Living/Nursing Facilities are a permitted use in the district.

II. **Land Development Review Comments:**

1. **Section 174-205.B. 9.(k).** Sanitary Sewage Facilities. All land developments shall be provided with sanitary sewage facilities which are in accordance with the municipal sewage facilities plans and which have been approved by the Allegheny County Health Department, the PADEP, the township and the Marshall Township Municipal Sanitary Authority or other applicable sewer authority which serves the Township.

**COMMENT:** A Planning Module needs to be approved.

2. **Section 174-205.B.9.(q).** Delineation of steep slope area(s), with categories of slope oriented as follows: (1) 15 to 25 percent; (2) over 25 percent. All steep slope areas shall be accurately depicted and noted on the site plan.

**COMMENT:** Would you please double check the impact to slopes 15% - 25% and 25% and greater. The table indicates that the impact to both is 5.90 acres.

3. **Section 174-205.B.9.(s).** Location, width, bearings, and purpose of existing and proposed EASEMENTS and utility rights-of-way.

**COMMENT:** Please provide the bearings and distances for the easements shown on the plan.

4. **Section 174-205.B.10.** A list of relevant permits, approvals or certificates required by Federal, State, county, or local governmental authorities. Following receipt of said list the township will indicate which permits, approvals or certificates must be obtained prior to development approval by the township.

**COMMENT:** Please add this information to the cover sheet of the plans.

5. **Section 174-205.B.14.(d).** As part of the Township Code of Ordinance Chapter 101, Impact Fee, a Transportation Capital Improvements Plan (including amendments) has been adopted. Future transportation capital improvements included in the plan pertinent to the TIS shall be identified.

**COMEMNT:** Trans Associates will determine the Traffic Impact Fee.

6. **Section 174-603.C.** No disturbance is permissible within 25 feet of the edge of any flowing stream, lake or wetland.

**COMMENT:** The proposed development/disturbance is located within 25 feet of wetlands. The Applicant will need to seek a modification from this requirement

III. **Zoning Ordinance Comments:**

1. **Section 208-303.** Table of Area and Bulk Standards.

**COMMENT:** The maximum Gross Floor Area for a multi-story building the RB District is 30,000 SF. The proposed building is 191,302 SF with the garage parking area. The Applicant is seeking a variance from this requirement. Please add the proposed GFA to the table on Sheet C004.

2. **Section 208-303.** Table of Area and Bulk Standards.

**COMMENT:** The maximum building height in the RB District is 50 feet. The Applicant is proposing a building height of 65 feet. The Applicant is seeking a variance from this requirement.

3. **Section 208-1002.B.6.** Corridor Enhancements Overlay District §208-1506. Tree Protection.

**COMMENT:** Please include the tree survey in the plan set. Additionally, please provide a table showing impact and required replanting. Please review Section 208-1506 and add the required information to the plans.

4. **Section 208-1005.C.1.** Off-street parking areas shall not be permitted to be located between the public street and any principal building.

**COMMENT:** There is parking proposed between one of the building and Route 19. The Applicant is seeking a variance from this requirement.

5. **Section 208-1005.D. 3. (b).** Street lights to be located along Route 19 shall be a maximum of fifteen (15) feet in height and spaced one hundred sixty (160) feet on center and staggered, unless a lighting plan shown an acceptable alternative.

**COMMENT:** Streetlights are required along Route 19. The required streetlights could/should be moved interior to the site to follow the entrance drive sidewalk. The Applicant is seeking a variance from this requirement.

6. **Section 208-1005.E.1.(a).** ... Sidewalks shall measure a minimum of five (5) feet in width and connect to the lot line of the adjacent parcel.

**COMMENT:** Sidewalks are required along Route 19. The site plan shows an interior sidewalk/trail system; however, a deviation from the ordinance will require the Applicant to seek a variance from the Zoning Hearing Board.

7. **Section 208-1908.B.** The loading and unloading area must be of sufficient size to accommodate the numbers and types of vehicles that are likely to use this area; given the nature of the development in question ...128,000SF to 191,000 SF requires 4 loading/unloading areas. Loading areas have minimum dimensions of 12' x 55' and an overhead clearance of 14'.

**COMMENT:** The Applicant has provided 3 loading areas. As this is a deviation from the Zoning Ordinance, it will require the Applicant to seek a variance from the Zoning Hearing Board.

IV. **Additional Comments:**

1. Please add the floor plans and elevation drawing to the index of drawings on the cover sheet. This has been done, but now the sheets are separate from the plan set. Please add these sheets back into the plan set.

Mr. Gazdik read his first letter.

**General**

1. The Developer shall address all outstanding comments contained in the Planning Directors review letter(s).
2. Final locations of required fire lanes and fire hydrants must be approved by the Township Fire Marshall, 174-503.H.

**Grading (88)**

3. A Grading Permit and Grading Permit Agreement, is required prior to proceeding with work, as per 88-17. Construction plans and details for the proposed retaining walls that are prepared and sealed by a Professional Engineer will have to be submitted for review and approval of the Township prior to issuance of the grading permit.
4. The grading for the proposed borrow area should be refined and included in the plan set. The plans should include the proposed final grading of the borrow area and final landscaping proposed for the area of disturbance, 88-6 (B).

**Subdivision and Land Development (174)**

5. It is our understanding that no facilities are proposed to be dedicated to the Township.
6. The existing conditions plan shows a thirty three (33') foot width right of way (ROW) for Old Perrysville Road in the northwest corner of the property, where the proposed access road enters from Foulter Road (Fairmont Square Land Development). It is our understanding that this ROW may have been or continues to be a Public ROW. Given that the ROW will not in future be used for public purposes, it is our recommendation that the Solicitor undertake the process to abandon this ROW, 174-203.C.10.

7. An approved sewage facilities planning module shall be provided, 174-207.B.9.b.
8. An NPDES Construction Discharge Permit for erosion and sediment pollution control will be required, as per 174-207.B.9.(c).
9. A revised Recording plan or recoding exhibits will be needed to address the proposed ingress/ egress revisions and additional pedestrian easement locations, 174-102. A.
10. Provide Datum and benchmark locations on the plans, 174-205.B.h.

**Stormwater Management (165)**

11. There is an existing Stormwater Management (SWM) facility in the southwest corner of the property that is used to control stormwater flows from the parcels located to the south of the site. The Existing Conditions Plan indicates that the existing access easement for this SWM facility crossed the site from Fowler Road at the north side of the site to the SWM Facility. The proposed site grading will cut off the current access due to the height of the proposed retaining walls. The plan then proposes to provide a new access road from the parcel located to the south of the site. It is not apparent if there are currently existing ingress/ egress easements over these parcels to accommodate access to the existing SWM Facility. The developer should provide the Township with a copies of ingress/ egress (access) easements from Gateway Avenue to the proposed relocated access road, 165-107.3.B.
12. The proposed detention facilities will be privately owned and will require a Stormwater Management Agreement, as per 165-107.4.

Mr. Gazdik read his second letter.

**General**

1. The Developer shall address all outstanding comments contained in the Planning Directors review letter(s).

**Grading (88)**

2. There are slopes of 2:1 (H:V). Where cut or fill slopes exceed 3:1 (H:V), a written statement and a slope stability report from a registered professional engineer (Engineer) experienced in geotechnical engineering is required. The statement and report shall indicate the proposed grading has been reviewed, inspected and evaluated by the Engineer and that the slopes and retaining structures specified on the plans shall be stable and not result in increased risk or injury to persons or damage to adjacent property or receiving streams from erosion and sedimentation, as per 88-13 and 88-14.
3. A Grading Permit and Grading Permit Agreement, is required prior to proceeding with work, as per 88-17.

**Subdivision and Land Development (174)**

4. In our opinion the proposed borrow area may not conform to the following requirement.

*Topography 174-605. The natural terrain of all proposed SUBDIVISION or LAND DEVELOPMENT tracts will be retained wherever possible. Cut and fill should be kept to a minimum necessary to achieve acceptable STREET grades, parking areas or building sites where no feasible alternative exists or where it will be used to enhance the site, such as berms or SWALES, which add visual interest or perform a function such as DRAINAGE or screening. Topographic alterations shall be in accordance with Chapter 88, Grading and Excavating.*

Also, provide the following addition information related to the use of the proposed borrow area and site grading.

- a. The amount of cut proposed and fill.
  - b. The overall site grading cut and fill balance calculations.
  - c. How would material be hauled across the existing stream to the area to be developed?
5. An NPDES Construction Discharge Permit for erosion and sediment pollution control will be required, as per 174-207.B.9.(c).

#### **Zoning (208)**

6. The majority of the borrow area falls within the Corridor Enhancement Overlay District. The following items listed under the Purpose of the district do not appear to be consistent with the use of the site as a Borrow Area.

*To maintain the natural beauty and scenic, cultural and historic character of the corridors, particularly distinctive views and visual continuity, 208-1501.2.*

*To protect existing greenbelts, natural vegetation and wildlife habitats along the corridors, 208-1501.3.*

*To limit clearing, grading and clear cutting along the corridors, 208-1501.4.*

*To minimize cut and fill OPERATIONS by placing emphasis on the retention of natural topography of the corridors, 208-1501.5.*

Mr. Green responded to Mr. Gazdik's comments. He committed to working with staff to create something visually attractive with regard to the extensive earth moving. He stated that the site may appear unattractive in the short term; however, in the long term after re-vegetation it will be very visually appealing. He spoke about possibly constructing a 10 ft. haul road within the site which would not cross the stream on the property.

Mr. Payne inquired about tree composition in the clear site and if trees could be planted in the graded area. Mr. Green explained that they will simply seed the sloped areas because survival rate for trees is low on a slope. He agrees that they could perhaps add a few.

Mr. Hunsicker stated that the fill borrow area will be addressed in the future. He does not want this issue to hold up plan approval. He is open to direction as to how to address the fill borrow

issue in order to push the site plan through. When they are closer to the time when they need the fill material, they will work with the Township and other brokers to identify potential sources for importing fill where the quality and cost of the soil is appropriate. They will use as much as they can get from off-site. They will only need to make up the difference with fill from on-site. He states his difficulty formulating a plan since he doesn't know how much will come from off-site.

Mr. Shaffer stated that it was difficult to recommend approval of the plan because the plan doesn't show the final proposition. Ms. Hatfield is uncomfortable with the borrow site and the impact it will have on the environment. Mr. Baling notes his concern with the square footage of the building. Ms. Hatfield is concerned about the impact which the development might have on the land. Mr. Pampena inquired as to whether there was a traffic study done. Ms. Zimsky stated that there was not because they were not required to have one. Mr. Pampena wanted to know how long it would take to complete the earthwork. Mr. Green replied a couple of months with approximately 30 days of earth moving. Mr. Hunsicker replied that there is a 14 month construction cycle for the entire project. Mr. Shaffer would like to see more of a commitment that some of the dirt would be sourced off-site. Mr. Baling stated that he feels as though the minutes from the evening's meeting will convey to the Board of Supervisors that the Planning Commission recognizes that this (borrow site) is a spot of contention and that they are taking a leap as far as the square footage (of the building) is concerned.

***Mr. Baling moved to approve the plan contingent upon staff letters and a recommendation that the developer work with staff to eliminate or make improvements to the proposed borrow plan. Ms. Hatfield seconded. Mr. Shaffer opposed. The motion was carried. (4-1)***

**ADJOURN**

***Since there was no further business to come before the Commission at 8:45 p.m., Mr. Shaffer moved to adjourn the meeting. Ms. Hatfield seconded the motion. Vote in favor of the motion was unanimous.***

Respectfully submitted,

Sandy Bauer  
Planning Commission Secretary