

**Marshall Township
Planning Commission
525 Pleasant Hill Road
Wexford, PA 15090**

May 16, 2016 - 7:00 PM

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

Absent: Kim Herbert, Jeff Davison

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

Engineer: Art Gazdik

Secretary: Sandy Bauer

Solicitor: Blaine Lucas (not present)

Others: Mitchell Thompson, Dave Hager and John Watson

Ron Baling called the meeting to order at 7:06 p.m.

MINUTES

Approval of the May 3, 2016 Meeting Minutes.

Mr. Baling moved to approve the minutes. Ms. Hatfield seconded. The motion was passed unanimously.

PLAN(S)

- ❖ Marshall Village; SP(LD)16-05; Fowler Road and Maple Drive., plans dated 4/12/2016;
deadline: 7/18/2016

Mitchell Thompson with PVE Sheffler presented the plan. Dave Hager briefly described the plan and any changes which had been made since the last presentation. He explained how the right-of-way along Fowler Rd. was determined with a visual aid. Mr. Gazdik specified an area of concern for the Township as it has not been dedicated right-of-way. Mr. Gazdik reiterated his desire to clear up confusion with a subdivision plan. There was further discussion. Mr. Hager agreed to a subdivision plan showing a dedicated right-of-way. Mr. Watson would like to speak to Labriola's.

Mr. Thompson illustrated site constraints and the removal of a retaining wall. He noted that the steep slopes that exist have been created by construction along Fowler Rd. They added a sidewalk from Fowler Rd. down to Rt. 19. They are not proposing to cross over the wetlands. He illustrated the rear façade and minor changes to include more ornamental interest.

Mr. Baling asked for further description of the removal of a back door and retaining wall. Mr. Pampena inquired as to the nature of the slope at the rear of the building. Mr. Hager feels that it must have been graded by Fairmont Square. There will be no loading dock at the rear of the building. There will only be small deliveries made through the front door. They did an auto-turn analysis with a 27 foot truck. Mr. Shaffer recommended that one be done with a larger truck since there is unknown who will occupy the other space in the building. Mr. Hager stated that a larger truck could turn around during off hours, since the auto-turn analysis is very conservative. Mr. Gazdik stated that there is no space for additional parking on Fowler in front of this building. Todd Shaffer questioned: If another restaurant moved in beside House of 1000 Beers (HOB), would there be sufficient parking to support two restaurants? Mr. Thompson's reply was yes, probably, but that they haven't looked into that option. Mr. Payne then asked: If HOB expands to fill the building, are there enough parking spaces accommodate that use? Mr. Watson states that 60% of HOB's business is take-out. He will look for a complimentary business to go beside HOB.

Discussion of garbage location and traffic studies took place. Mr. Shaffer asked if a sidewalk could be constructed along Rt. 19, across the wetlands. Ms. Zimsky answered yes, it is possible to build a small, floating trail. She further describes additional possibilities. Discussion took place regarding the intention of the developer not to construct the sidewalk. Mr. Pampena queried: Should sidewalks connect along Rt. 19? Mr. Gazdik replied affirmatively, and stated that it does not make sense on Fowler Rd. Mr. Shaffer expressed his desire to see a boardwalk span the wetlands. Mr. Baling states that he would like to see the sidewalk along Fowler Road

There was discussion regarding the rear elevation of the building including references to the windows and architectural detail. Ms. Zimsky and the Planning Commission made several suggestions regarding ornamentation in an effort to alleviate several variance requests. Mr. Watson reiterates the difficult nature of the site.

Ms. Zimsky read her comments.

I. **SP(LD)16-05: Marshall Village – Land Development Application:**

The applicant is seeking land development approval to construct a 13, 600 SF retail center at 110 Northgate Drive. The property sits next to Labriola's Italian Market and will be accessed by Fowler Road. The property is zoned Route 19 Boulevard (RB) and is located in the Corridor Enhancement Overlay District.

II. **Land Development Review Comments:**

1. **Section 174-205.B.9.(j).** Water service. If water is to be provided by means than by the individual owners of lots within the land development, the developer shall present evidence that the land development is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners or by a municipal corporation, authority or utility.

COMMENT: Please provide a letter from West View Water Authority stating that they have the capacity to serve the project.

2. **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.

3. **Section 174-205.B.9.(m).** Location of bordering streets and existing and approved access points.

COMMENT: There has been much discussion regarding Fowler Road right-of-way. There is a dashed line on the plans that indicates where the 50' right-of-way would end on the Marshall Village property. The issue the Township has is that without a subdivision, actually dedicating that property to the Township, the Marshall Village property line runs into Fowler Road. As the Fairmont Square Developer had no authority or approval from Harmony Holdings, LTD to "take" their property for right-of-way purposes there is not a minimum of a 50' Fowler Road right-of-way adjacent to the Marshall Village property. Please prepare a subdivision plan to create the right-of-way for Fowler Road. Additionally, please consider vacating the portion of the property that runs in front of Labriola's Italian Market for right-of way purposes also.

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

COMMENT: There are utilities running along Fowler Road that should be in an easement. Additionally, pedestrian easements are required.

5. **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 list this information on the plans. A Grading Permit will also be required.

6. **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: Please submit your calculation for PM Peak Hour Trips so that Trans Associates can verify the number and determine the Traffic Impact Fee.

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

COMMENT: The Applicant is seeking a modification from this requirement for impact to the Wetland and stream buffer.

III. **Zoning Ordinance Comments:**

1. **Section 208-1005.A.1.(c).** Not more than twenty (20) percent of the total area of all steep slopes 25% or greater shall be disturbed.

COMMENT: The Developer is proposing to impact 50% of slopes 25% and greater and will therefore be seeking a variance from this provision.

2. **Section 208-1005.A.1.(d).** Not more than sixty (60) percent of the total area of all steep slopes 15% to 25% or greater shall be disturbed.

COMMENT: The Developer is proposing to impact 79% of slopes 15% to 25% and will therefore be seeking a variance from this provision.

3. **Section 208-1005.B.2.** Sixty percent of the horizontal length of the structure facing the street shall incorporate windows between three feet and eight feet in height above the sidewalk grade.

COMMENT: The Developer is seeking a variance from this provision.

4. **Section 208-1005.B.3.** Surface treatments to create visual interest such as cornices, brackets, window and door moldings and details, recesses, projections, awnings, porches, steps, decorative finish materials and other architectural articulation shall be required along façade facing a public street.

COMMENT: The Developer is seeking a variance from this provision.

5. **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: The Developer is seeking a variance from this provision.

6. **Section 208-1005.D. 3.(a) and (b).** Street lights shall be a maximum of fifteen feet in height on Township streets and be spaced one hundred feet on center unless a lighting plan shows an acceptable alternative. 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 Fowler Road and should be spaced every one hundred feet and staggered from the lights on the other side of Fowler Road. Please check the spacing of the lights on the Route 19 side of the plan and note that the street lights are to be placed along the entire frontage, and should therefore be placed along the Northgate ramp to your property line in front of Labriola's. Please check light placement with the Fairmont Square plans.

7. **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 not shown running property line to property line. After a staff site visit, it has been determined that sidewalks could be constructed along the Route 19/Northgate Drive frontage from the property line to maple Drive. The Developer will need to seek a variance from this provision and may pay a fee-in-lieu of construction of the sidewalk.

8. **Section 208-1005.H.1.** All building mechanical systems such as air conditioning units, exhaust systems, satellite dishes, fire escapes, elevator housing, and other similar elements (including dumpsters) shall be integrated into the overall design of the building and screened from view.

COMMENT: The response letter indicated that staff was to review the revised architectural drawing to see how this comment was addressed. There are no revised architectural drawings.

Mr. Gazdik read his comments.

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.

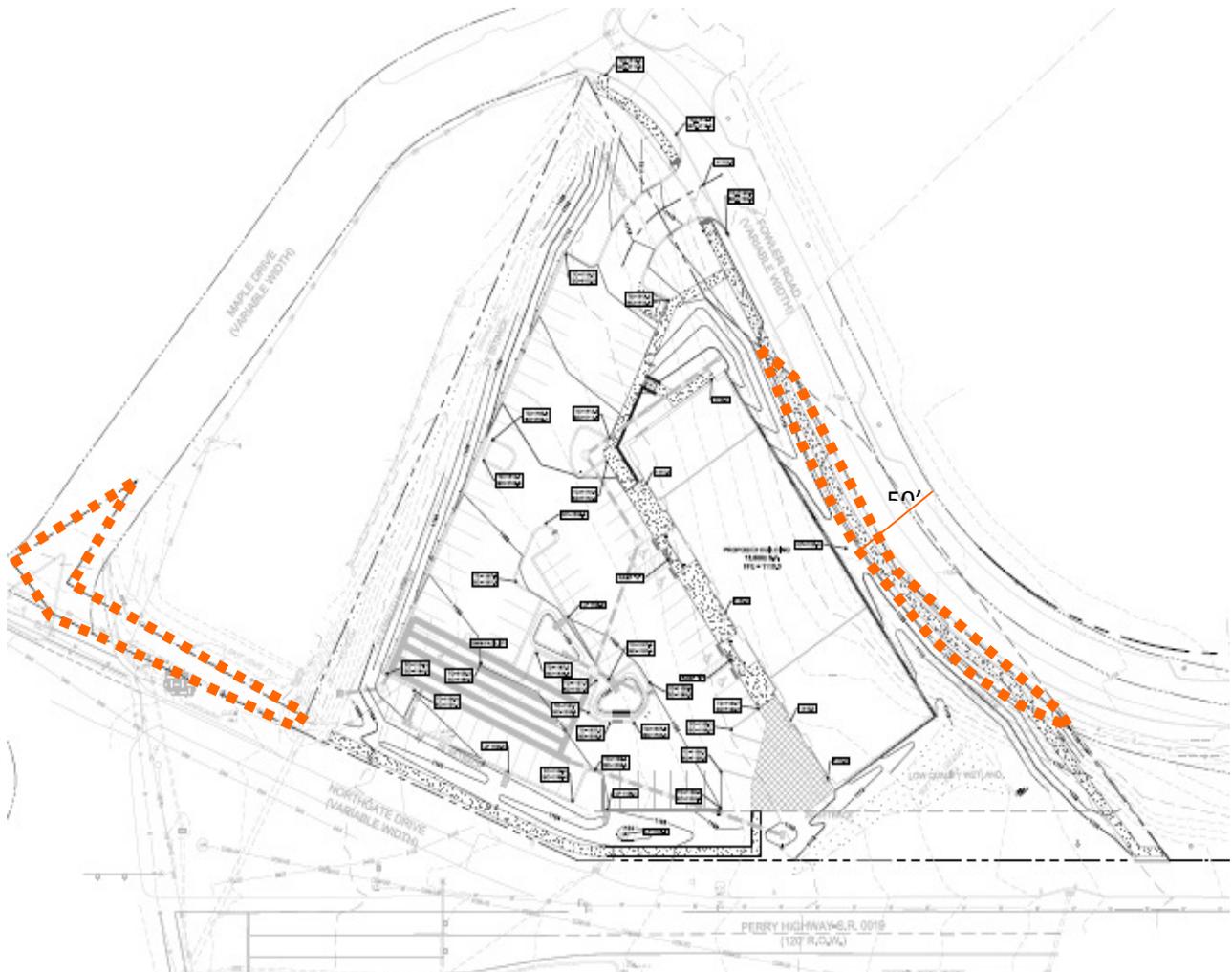
Grading (88)

1. There are proposed 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 not result in increased risk or injury to persons or damage to adjacent property or receiving streams from erosion and sedimentation, or landslides, as per 88-13 and 88-14.
2. A Grading Permit and Grading Permit Agreement, is required prior to proceeding with work, as per 88-17.
3. An NPDES construction discharge permit for the site will be required prior to permit issuance , as per 88-15.

Subdivision and Land Development (174)

1. Provide assurance that the 150' driveway sight distance requirement is in conformance with section 174-405.K.
2. Guide Rail should be shown on the plan where roads or parking areas abut steep slopes, 174-503.G.

3. The ordinance requires that if a property is subdivided that addition right of way be provided so that a distance of 25' feet from the centerline of the existing right of way to the property boundary is provided, 174-404.E. It is recommended that in this case that the developer consider the dedication of right-of way to address the nonconforming nature of the property. This would apply to the frontages along Fowler Road, the SR 19 off ramp and Northgate Road / Maple Drive. A subdivision recording plan should be prepared for this purpose. The proposed areas are shown in the markup plan below.



4. The Developer is to request all Modifications in writing. The request for Modifications shall fully state the reasons and grounds for why the provision is unreasonable or a hardship imposed, and discuss the minimum modification necessary, 174-201.D. Modifications are only those items that are related to the Subdivision and Land Development Ordinances.
5. It is understood that no facilities are proposed to be dedicated to the Township.
6. An approved sewage facilities planning module is required, 174-207.B.9.b.

7. The plan should clearly show the limit of PennDOT SR 19 right-of-way, 174-302. The limit of PennDOT right-of-way should also be shown in the area of the off ramp.
8. It appears that an 8" sanitary sewer extension is proposed on plan C-700. This plan should be submitted to Bill Campbell the MTMSA Manager for review, 174-207. Is a boring proposed? A ramp closure and traffic control plan for this work will be required, 174-205.B.11.
9. Set proposed perimeter boundary monuments, 174-207.B.1., and 174-508.
10. Profiles for the entrance road should be provided, 174-404.C.3(c)(i). Please extend to profile to show how it transitions to 5.7% parking lot slope.
11. The ADA Access Ramps should be provided on the Fowler Road sidewalk at the driveway entrance, 174-503.I.2(b).

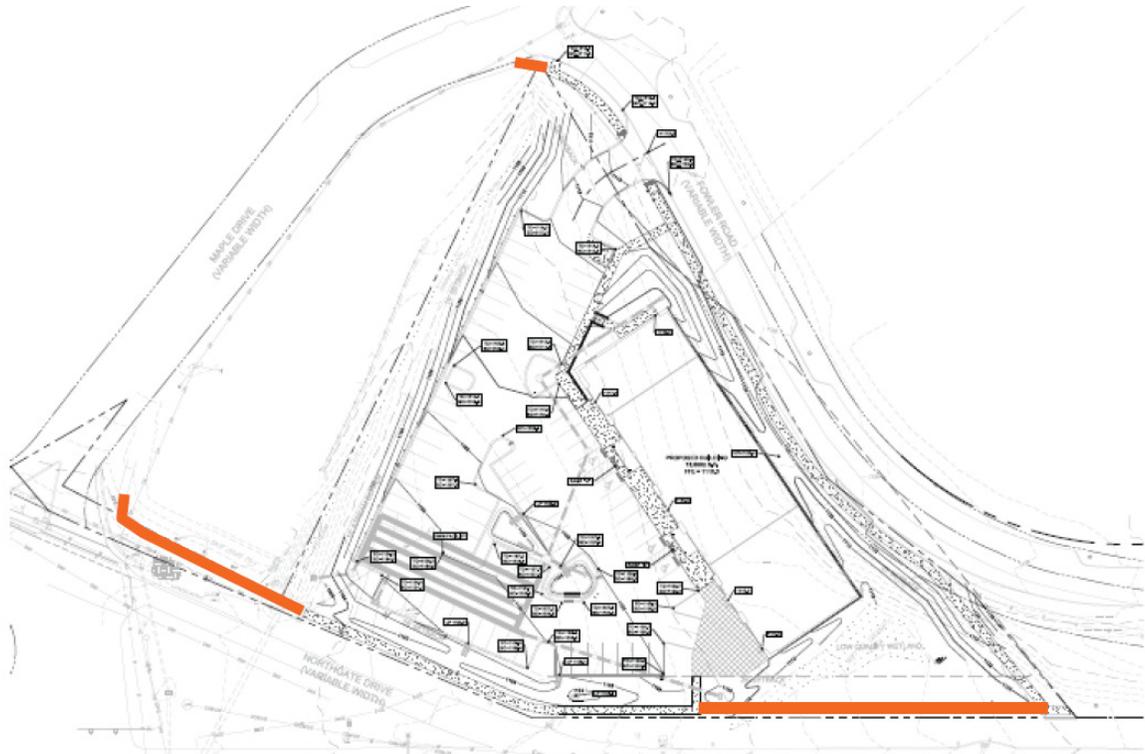
Stormwater Management (165)

12. The proposed water quality and storm water detention facilities will be privately owned and will require a Stormwater Management Agreement, as per 165-107.4.
13. A stream buffer of fifteen (15') from each side of the stream /drainage centerline should be shown on the plans. 165-106.5.B. The area within the stream buffer is to be undisturbed.
14. A buffer of twenty five (25') is required around the wetland area noted on the plans, 165-106.5.D. The area within the buffer is to be undisturbed.
15. Design elevations for all SWM facilities should be shown on the plan sheet C-1000. For example the SW Facility #3 Retention Basin should provide the elevation of the subgrade, under-drain, overflow invert, overflow , and crest elevation; and available storage and maximum water depth, 165-106.

Zoning (208)

16. Sidewalks and street lights are required to be installed along the property frontages, 208-1005.D. 3.(a). and (b) ; and Section 208-1005.E.1.(a). The sidewalks should be designed to connect with the existing sidewalk on the adjacent Labriola Property and to the sidewalks that are to be installed in the adjacent Fairmont Square Plan. An area of sidewalk may need to be an elevated boardwalk to span the area of wetland abutting SR 19. The proposed sidewalk shown along Fowler Road should be extended to the existing Labriola sidewalk at the Maple Drive / Fowler Road Intersection. Also provide an ADA Ramp at that location. The street lighting plans should be coordinated with the existing street lights and those proposed by the Fairmont Square Development.

Discussion of sidewalk took place.



17. A loading area is to be designated on the plan. One loading area is required for a building of the size proposed. The auto turn analysis provided is for 29' UPS Type Delivery Vehicle. Is this adequate to serve to facility? The Ordinance requires that *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. LOADING AND UNLOADING AREAS shall be so located and designed so that the vehicles intended to use them can maneuver safely and conveniently to and from a public RIGHT-OF-WAY and complete the LOADING AND UNLOADING operations without obstructing or interfering with USE of any public RIGHT-OF-WAY or any PARKING SPACE or PARKING LOT AISLE, 208.1908.*

Dave Hager stated that a loading space was not required. Mr. Gazdik explained that there is no dock required, however the way that the building is situated, it makes a loading area a good idea.

18. The point where the bituminous wedge curb starts along the driveway should be shown on sheet C-300. Concrete curb should be shown on the entrance driveway from the road until a point after the proposed Road sidewalk and access ramps. Fowler ADA ramps.

Mr. Pampena suggested that the building is too large. Mr. Hager stated that a size reduction would have no affect on the feasibility of the project. Mr. Pampena inquired as to the future of the small exit ramp at the intersection of Rt. 19 and Maple Drive.

Mr. Baling moved to recommend approval of the Marshall Village Plan subject to Staff comments. Mr. Shaffer seconded. Mr. Pampena opposed. The motion passed (4-1).

ADJOURN

Since there was no further business to come before the Commission at 8:35 p.m., Mr. Baling moved to adjourn the meeting. Ms. Hatfield seconded the motion. The motion was carried unanimously.

Respectfully submitted,

Sandy Bauer

Planning Commission Secretary