

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

**March 7 , 2017 - 7:00 PM**

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

**Absent:** Jeff Davison

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

**Engineer:** Art Gazdik

**Secretary:** Sandy Bauer

**Solicitor:** Blaine Lucas (not present)

**Others:** Howard McIlvried, David Lucci, Mike Brunner and Francois Bitz

Mr. Baling called the meeting to order at 7:01 p.m.

**MINUTES**

Approval of the February 1, 2017 Meeting Minutes.

***Mr. Pampena moved to approve the minutes as presented. Ms. Hatfield seconded the motion. The motion was passed unanimously. (4-0)***

**PLAN(S)**

- ❖ B & M Investors Plan of Lots; SUB-FIN 17-05; 90 Warrendale Bayne Road, plans dated 1/19/2017; **deadline: 6/5/2017**

The plan was presented by Mr. Howard McIlvried of Mcilvried, DiDano and Mox, LLC. The plan seeks to correct by consolidation, a lot division which occurred when Warrendale Bayne Road was built.

Ms. Zimsky read her and Mr. Gazdik's letter:

I. **SUB-FIN 17-05 B & M Investors Plan of Lots –Subdivision Application:**

The proposed plan subdivides a parcel divided by Warrendale Bayne Road. The proposed Lot 1 falls in the town Center (TC) zoning District while the proposed Lot 2 is located in the Route 19 Boulevard (RB) zoning district. Both of the proposed lots are located in the Corridor Enhancement Overlay District and proposed Lot 1 is located in the floodplain.

II. **Subdivision Review Comments**

1. **Section 174-206.B.17.** Location, width and purpose of existing easements and utility rights-of-way within the subdivision.

**COMMENT:** Are there any easements on the property? If so, they need to be shown on the plans with their use, bearings and distances provided.

2. **Section 174-503.J.1.(b).** Trails are required on all subdivisions or land developments that contain trails shown on the master trail map.

**COMMENT:** The Township is requesting that you provide pedestrian easements on your property to facilitate pedestrian access and connectivity.

III. **Additional Comments**

1. None

Mr. Brunner of B & M Investors inquired about liability issues regarding the proposed pedestrian easement on the property. Mr. Gazdik and Ms. Zimsky agreed that a discussion with the Solicitor would be helpful.

***Ms. Hatfield moved to recommend approval of the Subdivision contingent upon Staff comments and a review by all involved parties including the Solicitor, regarding the location of the easement and liability issues that may result from the easement. Recommendation for approval is contingent upon agreement of all parties. Mr. Payne seconded the motion. The vote was unanimous. (4-0)***

- ❖ Mallard Pond; SUB-FIN 17-06; Spang Road, plans dated 2/14/17; **deadline: 6/5/2017**

David Lucci of Victor Wetzel Associates presented the plan on behalf of Heurich Construction. The Subdivision is comprised of 59 lots on 82.4 acres along Spang Rd. Mr. Lucci described the nature of site including the location of slopes, wetlands, buildable land, connectivity and access to the site. The home sites were displayed. Sanitary sewer is located along Spang Rd. which will have two connections from the plan.

Mr. Pampena asked for further explanation of how the plan will address grading/construction in areas adjacent to wetlands. Mr. Payne asked for details regarding streets, curbing and sidewalks. Mr. Pampena asked for clarification regarding protection from run-off. Mr. Gazdik explained the use of buffers, the storm sewer system and water quality requirements which will apply.

Francois Bitz of 1640 Pleasant Hill Rd. commented that he would like assurance that the plan will account for the large amount of sanitary output from this plan and would like to see an extension of the sanitary sewer easement.

Ms. Zimsky read her letter:

II. **Sub-Fin 17-06 Mallard Pond (Preliminary Plan) – Subdivision Plan:**

This plan is a major subdivision of 82.399 acres of property along Spang Road. There was a Mallard Pond Subdivision approved in 1989. For this plan some additional property has been acquired and there is a revised lot layout. The proposed subdivision is a 59 Lot Conservation Subdivision. The proposed subdivision is located in the Conservation Residential (SR) zoning district. The Developer has opted to submit only preliminary plans at this time and will follow-up after preliminary approval with their final plans.

II. **Subdivision Review Comments**

1. **Section 174-206.B.8.** Zoning district(s) and adjacent zoning district(s).

**COMMENT:** Please show this information on the plans.

2. **Section 174-206.B.10.** All property lines within the subdivision.

**COMMENT:** Please show property lines with bearings and distances for the open space parcels.

3. **Section 174-206.B.18.** Tentative covenants, grants of EASEMENTS or other restrictions to be imposed upon the use of land and structures.

**COMMENT:** Please provide this information.

4. **Section 174-206.B.23.** Location, width, bearings and purpose of existing and proposed easements and utility rights of way.

**COMMENT:** Please provide the width and bearings and distance for the easements shown on the plans.

5. **Section 174-206.B.27.** A Traffic Impact Study.

**COMMENT:** A copy of the plans have been sent to Bob Goetz at Trans Associates for his review and comment.

6. **Section 174-302.C.** Existing resources and Site Analysis Map.

**COMMENT:** A conservation Subdivision requires that and existing resources and site analysis map be provided. Please refer to Section 174-302.C.1 – 12 for the information required to be shown on the map. On Sheet 3 there appear to be two streams on the plans, but only one is shown on Sheet 2. Please correct. Also, please provide a symbol for a wetland in the key.

7. **Section 174-302.D.** Four-Step Design Process for Conservation Subdivisions. The application for preliminary approval for a conservation subdivision shall include documentation of a four-step design process as described in Sections 174-203.D.1 – 4.

**COMMENT:** This information needs to be shown and added to the plans.

8. **Section 174-302.F.** Community Association Document ... shall be provided for all subdivision and land development applications that propose land or facilities to be used or owned in common by all the residents of that subdivision or land development.

**COMMENT:** Please provide a draft of the community association documents.

9. **Section 174-302.G.** Greenway ownership and management plan. Using the conceptual preliminary plan as a base map, the boundaries, acreage, and proposed ownership of all proposed greenway areas shall be shown. In addition, the applicant shall also submit a greenway ownership and management plan detailing the entities responsible for maintaining various elements of the property and describing management objectives and techniques for each apart of the property.

**COMMENT:** Please provide this information.

10. **Section 174-303.A.1.** Street Cross-section requirements.

**COMMENT:** There are slightly different street cross-section requirements for Conservation subdivisions. Please provide a street cross-section showing the requirements listed in Section 174-303.A.1.

11. **Section 174-404.E.3.** When a property to be subdivided borders on an existing street containing less than the required 50-foot right-of-way, the Township shall request that the developer dedicated the portion of his or her property within 25-feet of the centerline of the street.

**COMMENT:** In the area where Goldeneye Drive intersects with Spang Road the plans indicated that the property line runs to the center of the road. Please dedicate twenty-five (25) feet to the Township for Right-of-way purposes. Please indicate on the plans the amount of property to be dedicated for right-of-way purposes.

12. **Section 174-503.I.1.B.** Sidewalks

**COMMENT:** Sidewalks need to run property line to property line. The proposed sidewalk along Spang Road does not look like it extends to the northern most property line. There are areas within the subdivision in which the sidewalk only runs along one side of the road. Please run the sidewalk to the property line along Spang Road. Sidewalks shall be double sided within the subdivision or you will need to seek a modification from this requirement.

13. **Section 174-603.C.** No disturbance is permitted within twenty-five (25) feet of the edge of any flowing stream, lake or wetland.

**COMMENT:** It appears that there will be grading and/or construction within twenty-five (25) feet of wetlands and one of the streams. Please revise the design or seek a modification from this requirement.

### III. Zoning Comments

1. **Section 208-303.** Lot Size.

**COMMENT:** You are permitted to have up to 50% the lots between the size of 15,000 SF and 20,000 SF. Please add a table to Sheet 3 with this information to the plans.

### IV. Additional Comments

1. A subdivision titled Mallard Pond has already been recorded; this may have to be titled Mallard Pond Revised.

### V. Recommendation

Recommend a table of the plan so that the developer can address staff comments.

Mr. Gazdik read his letter:

### General

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

### Grading

1. There are proposed slopes of 2:1 (H:V). Where cut or fill slopes exceed 3:1 (H:V), a written statement from a registered professional engineer (Engineer) experienced in geotechnical engineering is required. The statement shall indicate the proposed grading has been reviewed, inspected and evaluated by the Engineer and that the slopes 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, as per 88-13 and 88-14.

2. Provide a preliminary E&S control plan has been provided for the site. An NPDES construction discharge permit for the site will be required prior to final approval, as per 88-15.

### **Subdivision and Land Development**

3. The elevation benchmarks and datum should be added to the grading plan, 174-206.B.7.a.
4. Provide radii and length of curves for proposed cartways, 174-206.B.13. It should be noted that the final plan must conform to the street design requirements in section 174-404.
5. It is recommended that the developer determine if the sight distance requirements required for final approval are met, 174-404.B.1.
6. An approved sewage facilities planning module or exemption shall be provided, 174-207.B.9.b.
7. Address how public water will be provided, 174-260.B.16.
8. Provide the location of proposed fire hydrants and waterlines proposed, to include the proposed offsite waterlines needed to serve the subdivision, 174-260.B.16.
9. The need for a traffic impact assessment should be determined by Trans Associates, 174-260.B.27.
10. Additional right-of-way will need to be dedicated along Spang Road so that a minimum of 25' from centerline is being provided along the property frontage, 174-404.E.3.
11. No disturbance is permissible within 25 feet of the edge of any flowing stream or wetland, 174-603.C. It should be noted that a section of the proposed road does cross through an existing wetland. Both a Township Modification and PA DEP requirements must be met to address this encroachment.

### **Stormwater Management (Preliminary Review Only)**

12. All areas of disturbance that are not able to be conveyed to the SWM basins should be noted as uncontrolled and accounted for the SWM calculations, 165-106.
13. The adequacy of the two (2) existing stormwater culverts that convey the existing stream under Spang Road should be evaluated to determine their existing capacity and the impact of peak flows due to the proposed subdivision, 165-104.5.E.
14. The stream buffer requirements should be addressed, 165-106.5.

***Mr. Baling moved to recommend approval of the Preliminary Subdivision Plan contingent upon Staff comments. Ms. Hatfield seconded the motion. The vote was unanimous. (4-0)***

#### **ORDINANCE PROPOSALS**

- ❖ Ordinance amending the definition of building height

***Mr. Baling moved to recommend approval of the Preliminary Subdivision Plan contingent upon Staff comments. Ms. Hatfield seconded the motion. The vote was unanimous. (4-0)***

- ❖ Ordinance pertaining to off-premises advertising signs (billboards)

***Ms. Hatfield moved to recommend approval of the ordinance as presented, subject to Staff adding a limit to lumens or adding an auto-dimming option requirement. Mr. Pampena seconded the motion. The vote was unanimous. (4-0)***

- ❖ Ordinance pertaining to medical marijuana dispensaries and growing/processing facilities

***Ms. Hatfield moved to recommend approval of the ordinance as presented. Mr. Payne seconded the motion. Mr. Pampena voted against. The motion was carried. (3-1)***

#### **ADJOURN**

***Since there was no further business to come before the Commission at 8:37 p.m., Mr. Baling moved to adjourn the meeting. Ms. Hatfield seconded the motion. The motion was carried unanimously. (4-0)***

Respectfully submitted,

Sandy Bauer

Planning Commission Secretary