

The North Strabane Township Board of Supervisors held a Special Meeting-Conditional Use Hearing, Tuesday, March 20, 2018 at approximately 6:30 P.M., at the Township Municipal Building, 1929 Route 519, Canonsburg, Pennsylvania 15317.

ATTENDING THE MEETING

Robert Balogh, Chairman
Marcus Staley, Vice-Chairman
Bob Ross, Supervisor
Harold Close, Supervisor
Neil Kelly, Supervisor

ALSO ATTENDING THE MEETING

Andrew L. Walz, Manager-Secretary
Gary Sweat, Solicitor
Joe Sites, Gateway Engineers
Deanna Kelly, Stenographer

Mr. Balogh called the meeting to order followed by the Roll Call.

**PUBLIC
HEARING**

Public hearing on a conditional use application submitted by Waterdam, LP, 1301 Grandview Avenue, Suite 200, Pittsburgh, PA 15238 for a conservation subdivision (Walnut Grove) reflecting 31 single family lots to be located east of the intersection of Thomas Road and Ross Road in an R-2 district.

Mr. Balogh

At this time, I would like to turn the hearing over to our solicitor.

Mr. Sweat

Thank you Mr. Chairman. As indicated this is the time set for the hearing on the application of Waterdam LP, for the conservation subdivision on the 23.1 acre parcel owned by Waterdam LP at the intersection of Thomas Road and Ross Road. The proposed project is known as Walnut Grove. Just so the record is clear for the benefit of the Board as well as the public this property is zoned R-2. Under the Township Zoning Ordinance, the conservation subdivision is permitted as a conditional use pursuant to Section 701 subparagraph B1C also applicable is the procedure for approval which is said forth Section 1301subparagraph A & B with the requirements for the approval and a traffic study and also for the record once the conditional use approval is given the applicant has 12 months to begin some kind of construction activity. The General Standards for the conditional use is set forth in the Zoning Ordinance Section 1302 in specific conditions and minimum requirements for a conservation subdivision set forth in Section 1303 paragraph 18. I know the applicant took a great of time going through those sections. Then Joe Sites can follow up with his review letter.

Mr. Wetzel

Thank you. Good Evening. My name is Mike Wetzel of Victor and Wetzel Associates. We are here tonight representing Waterdam, LP. We are here tonight for the conditional use public hearing for Walnut Grove which is a 31 lot conservation subdivision. Before we talk about the proposed plan. I would like to introduce you to the existing site. In regards to the site once again this is Thomas Road, Springdale Road, and Ross Road. The site is broken up into two parcels. The main parcel for Walnut Grove and where the conservation subdivision will occur is in the R-2 zoning district and is 23.1 acres in size. There is also another parcel just west of Thomas Road that is 3.1 which will be used in regards to stormwater management. In regards to the existing site once again the larger 23.1 acre piece on Thomas Road is mostly wooded. There utility easements located on the property. The stormwater parcel 3.1 acres in size is a combination of wooded area and some drainage ways in regards to the overall site.

In regards to the topographic section and some environmental sides of the site what we have is a low point on the site the rises. There is a gas line that is shown in the aerial. There is an electrical easement.

In regards to the density calculations that are permitted under the conservation subdivision. We look at the overall gross area of 23.1 acres once again that is only the R-2 section not the 3.1, we exclude any existing right-of ways and

exclude proposed right-of-ways which is 15 percent of the site. That leaves with you with 19.6 acre for density calculations under the R-2 zoning district you are allowed to have two dwelling units per acre in the conservation subdivision or 39 dwelling units permitted. Once again, Walnut Grove is a 31 dwelling unit we under the allowed density for the conservation subdivision.

- Mr. Close You mentioned an electrical easement and gas easement?
- Mr. Wetzel Yes, we have a gas easement and electrical easement. (Shown on the map)
- Mr. Close Is it on the property?
- Mr. Wetzel Yes, it is on the property.
- Mr. Close You said there is no existing right-of-way.
- Mr. Wetzel No, you take way road right-of-ways not utility right-of-ways in regards to the density calculations. Those are really easements associated with the utilities not right-of-ways.
- Mr. Close So in your calculation an easement is permitted?
- Mr. Wetzel Yes. Easements are permitted.
- Mr. Close Mr. Sites, I thought we had something before we were pulling out the utility easements. I am recalling that incorrectly?
- Mr. Sites I do not recall, Mr. Close.
- Mr. Close I will look into it, thank you.
- Mr. Wetzel In regard to the proposed conservation subdivision plan I will highlight the gas easement and electric easement along Thomas Road we will have a single access cul-de-sac with a total of 31 lots associated with the plan. The lots will be 65 feet wide in regard to the overall widths and within the plan the green area represents the 12.3 of overall open space.
- Mr. Close How long is the cul-de-sac?
- Mr. Wetzel It is under 1200 square feet.
- Mr. Ross Where is Springdale Road?
- Mr. Wetzel It is at the top of the plan. Once again we have all the open space areas, once again using the stormwater detention parcel really none of those areas are used for calculations for the conservation subdivision. In regard to the grading utility plan the low point crossing over the drainage way going onto the highpoint dropping down to a low point to the cul-de-sac. Stormwater management will have a series of stormwater pipes working itself to this section, pipes along here will work down the drainage way in the stormwater detention parcel. We also than have all our required sanitary. We do have an existing pump station located off site. We do have a sanitary line coming across underneath Thomas Road working itself back along Thomas Road over towards the sanitary pump station. Once again this is the area for the stormwater detention parcel that was submitted in regards to stormwater management.
- Mr. Close Is there a reason you just don't go straight to the pump station instead of crossing the road?
- Mr. Wetzel Because of the grade that takes place, if you recall when we were at the Planning Commission level I believe in November, our initial plan was to come down and tie into the pump station. We were unable to achieve the easement associated

with that. We need to cross Thomas Road twice.

Mr. Ross Where are you crossing Thomas Road?

Mr. Wetzel We are crossing at Thomas Road and the intersection of Springdale Road.

Mr. Ross You are crossing a state road twice?

Mr. Wetzel We will need to get HOP's associated with that.

Mr. Ross Are you going to have the detention pond connected before you being digging?

Mr. Wetzel When you get into the final plans will be the E&S plans.

Mr. Ross So where is all the runoff water going to go, through the state pipe?

Mr. Wetzel Correct. When we present the final plans the associated E&S plans will be there.

Mr. Ross They are ok with that?

Mr. Wetzel Yes. We already met with the DEP.

Mr. Ross Because that is going to go straight into the wetlands.

Mr. Wetzel Correct.

Mr. Ross You do not have anything separate that from going to the wetlands.

Mr. Wetzel The wetlands are separate along the side of the hill where we have the stormwater management.

Mr. Ross I am talking about before that is in there. I am talking about when you are digging.

Mr. Wetzel Sure we will end up having deemed to have some sediment traps associated with the plan. That is a requirement of the final plan submittal. We do have a preliminary E&S plan that was submitted for review by the Township.

Mr. Ross Because it is unusual to have a sediment pond on the opposite side of the road.

Mr. Wetzel In some cases, yes but we will need to have some E&S sediment ponds as part of the construction from the overall site on the other side.

Mr. Ross Is it the same E&S controls you have on Thomas Eighty Four Road? There is a lot of sediment that went right through those pipes.

Mr. Wetzel Once again the requirement is to submit an E&S plan which is reviewed by your Township engineer as well as the County Conservation District. All the necessary approval will be done. All the environmental permits are required but we are not at that stage we are at the conditional use requirement.

Mr. Ross And the Fish Commission.

Mr. Wetzel That is not a requirement for the conditional use application. Now we have the landscaping plan, we have street trees located within the overall site area from street frontage because we are keeping a large amount of existing trees. We will provide the required buffer. This meets the requirements of the landscaping submittal for the conditional use.

Mr. Kelly What is the buffer between lots 101 to 106? What is the buffer size between the edge of your lots to the edge of the property?

- Mr. Wetzel I believe it is a 20 foot buffer as outlined in your ordinance for the subdivision.
- Mr. Kelly My review of the plan shows about 6 feet.
- Mr. Wetzel You are not able to take the lot lines all the way across the overall property so there is a sliver regards to the buffer and we provided the necessary buffer requirements of those areas because of the trees that are disturbed along that property line.
- Mr. Kelly So it is about six feet between the lot line and the property line?
- Mr. Wetzel I don't have that dimension with me right off hand. Once we meet the requirements regards to conservation subdivision.
- Mr. Kelly Which are not spelled out.
- Mr. Wetzel But we are providing what is required as the buffer plan that is in those locations. In regards to the standards for the R-2 conservation when you look at the R-2 there is no minimum requirement for the R-2 conservation. You have a 10 acres minimum site area Walnut Grove is 23.1, maximum density for R-2 there is no standard that is a typo in regards to 175 it is 39. Lots for the conservation we are at 31 lots under Walnut Grove. The minimum open space for R-2 is a 20 percent conservation requirement for open space of 4.62 acres and we are at 12.3. The minimum buffer is no standard for along the buffer because we do have some grading up against the property we have the landscaping of evergreen trees at those locations. All other areas we have the existing vegetation that satisfies it. The minimum lot area half acre in size for the R-2, 10,890 square feet or a quarter acre lot for the conservation subdivision. Our minimum lot is 10,890 square feet. The minimum lot width in the R-2 is 70 feet. The conservation subdivision is 60 feet. Our lots are proposed to be 65 feet wide. The front yard setbacks the R-2 standard is 40 feet the conservation subdivision is 25 feet and Walnut Grove will be 25 feet. The rear yard is 40 feet for the standard and for the conservation subdivision it is 20 feet and Walnut Grove will be at 20 feet. In regards to the side yard the conservation subdivision is 10 feet which we will follow.
- Mr. Close Is there 12.3 acres of minimum open space including across the street that is not continuous to the main parcel?
- Mr. Wetzel No. All of our open space is just associated with the R-2 parcel. The only thing that happens with the 3.1 is the stormwater management. The plan we are seeking conditional use approval for the Walnut Grove is a conditional use subdivision of 31 lots in regards to the plan that was presented to you tonight.
- Mr. Kelly Do you have plans to subdivide out the stormwater parcel from the parcel it is part of now.
- Mr. Wetzel It is already subdivided out.
- Mr. Kelly Not according to the Washington County Parcel Map. It is part of the property across Ross Road when I check the map. It may be in the process.
- Mr. Wetzel If it needs to be subdivided, we will have that as a separate piece because when it comes down to the road right-of-ways the Thomas Road it separates it into two separate parcels.
- Mr. Kelly At the top when you cross Springdale Road it is 20 feet it that approaching the maximum depth?
- Mr. Wetzel We are approaching the maximum, yes, but it is still permitted.

- Mr. Kelly Do you know the capacity of the Fifeshire pump station, Joe?
- Mr. Sites No I don't.
- Mr. Wetzel We have received utility availability letters.
- Mr. Kelly That covers capacity?
- Mr. Wetzel Yes, it does. Because if it does not cover it, if it didn't have capacity to take the 31 lots they would not have accepted it.
- Mr. Kelly I was hoping Matt would be here. Also they could be some capacity at Wasterdam Farms which is downstream from that pump station.
- Mr. Wetzel That is why we worked with both Matt and Dan Slagle to get that utility availability letter.
- Mr. Kelly I will check with Matt. Thank you.
- Mr. Sweat Any more questions for the Board? Any questions or comments from the public?
- Mr. Reid James Reid, 497 Ross Road Eighty Four, PA 15330.
- My property adjoins where they are going to be building. It is my understanding that they water area was a flood zone about nine years ago. I don't know what it is now. There was a big flood when I moved in that went a cross Ross Road. I assume it is still a flood zone. If this is approved I would like to know when they are starting and how close to my property are they going to build?
- Mr. Close You are on Ross Road, correct?
- Mr. Reid Yes, Sir.
- Mr. Close According to that plan, what they are proposing everything is on the other side of Thomas Eighty Four Road.
- Mr. Reid Nobody is building over here?
- Mr. Close That is not what this plan suggests.
- Mr. Reid I know I got a letter some time ago, I was in Florida at the time and could not attend the meeting.
- Mr. Close We denied that.
- Mr. Reid You denied that. That solves my problem.
- Mr. Sweat Anyone else from the public want to be heard.
- Mr. Aquilino Mark Aquilino, 494 Ross Road Eighty Four, PA 15330.
- When I started building there, I ran into to problem after problem. Fish Commission and DEP. That is a clear water stream that runs through there. You are not allowed to subdivide that property, you not allowed to anything with it. You can't put a pipe it. Now they want to put a stormwater detention parcel there. That area floods. The bottom of the road floods. The intersection floods. Car were getting stuck. Between that and the well traffic that is on the road, I wish I did not start building there. I have a septic system there and it gets water constantly. I had to redo the septic system twice. I am realtor. I wish they would build everywhere and I would sell them all. Just put the detention pond on the same side of the road where the houses are. The only place I have seen the detention on the other side of the road is in McDonald and it is ugly. It is not

being taken care of. You have all the kids from the plan playing in it. The neighbor behind wrote me letters. There is water that comes from behind the houses. You can't walk there. If you would try to walk you would sink. You cannot subdivide with a clear water stream. That law changed probably two or three times over the last 30 years.

If this is zoned R-2 and then this side is zoned A-1. If they want to do everything in an R-2 shouldn't everything be under an R-2. Why do you get to put something an agricultural district, when you are doing R-2 subdivision? The area floods constantly, Plus the accidents, I bet if you asked the Police there has been 13 accidents there from the first of the year to now. If the houses were on that side and the water is on that side I probably couldn't have an argument because it seems it makes sense. To pipe the water on this side where there are already problems and it is a different zoning that does not make sense. I lived on Ross Road before, and they always told me that, that there was two parcels the parcel across the street and the parcel that rounds the bend on Thomas was owned with the 99 acres but I could be wrong.

- Mr. Close On the west side? Yes, it is zoned agricultural.
- Mr. Aquilino That's what I am saying I think that 99 acres included that piece so how did that piece get by itself and zoned A-1 and the other piece R-2.
- Mr. Close Thomas Road is the changeover between the zoning district. It may have been part of that parcel originally but it is zoned different because of Springdale Road, Thomas Road and Nottingham.
- Mr. Aquilino I think that parcel was part of that.
- Mr. Wetzel We are not distributing the drainage way we are outside the riparian buffer. We meet the requirements in regards to the stormwater as well as discussing this plan with DEP the riparian buffer. We had our traffic consultant out on site knowing there is going to be a requirement for an HOP to determine the safe site distance requirements at that location. It has already been reviewed by our traffic consultant.
- Mr. Sweat Mr. Kelly now that Matt has joined us do you want to ask him some questions about the sewer.
- Mr. Kelly Matt, we had a prior discussion about capacity in the Fireshire pump station and then downstream in the Waterdam pump station. Can you clarify anything for that?
- Mr. Marasco Yes. I believe there is a restriction at the Waterdam Farms pump station because it is feed directly from the Fifeshire pump station which sits by Thomas Road and Springdale Road. We have not provided the Township with a sewer service availability letter for this plan.
- Mr. Kelly He said he had it.
- Mr. Marasco This is Walnut Grove? We were looking through our files and I did not see one. There are some restrictions.
- Mr. Kelly So there are some issues at the Waterdam pump station.
- Mr. Marasco Yes.
- Mr. Sweat Mr. Wetzel do you have that letter?
- Mr. Balogh Do we have the ability to put a conservation subdivision in an R-2?
- Mr. Sweat Yes. Maybe the question is can you put a detention pond in the A-1 district when it is part of a R-2 conservation subdivision.

- Mr. Balogh My concerns are with the flooding issues we have had that is just compounding to move that water across the road in hopes it stays where it is supposed to. If not, it will be flooding all the time.
- Mr. Sweat I was going to ask Joe to comment on that because of the review letter concerning the flooding and the location of the detention pond. Did you find something?
- Mr. Wetzel Not yet. Regards to the detention pond we provided a preliminary stormwater management report in regards to the calculations for the facility which were reviewed by the Township and found satisfactory.
- Mr. Sweat At this point I ask Mr. Sites to disclose his review letter and maybe here are some things you want to highlight based on presentation and questions.
- Mr. Sites In my letter dated February 6, 2018, I indicated the replacement of fire hydrants within the development. I recommend that be a condition for approval. The street lights would be the responsibility of the HOA along with the buffer. We making sure that the buffer was not part of someone's lot. The developer needs to take another look at this see about moving this buffer of the single family lots as part of the open space perimeter parcel so it does not get disturbed. As for the location of the stormwater detention facility we reviewed the stormwater report based on the technical information that was provided, and hearing all the concerns, I think it might in the best interest of the developer to look into an alternative location stormwater detention facility especially since it is a clearwater stream. Information was provided that the DEP will not permit a subdivision of a parcel of property with a clearwater stream. I strongly recommend the applicant reexamine the location of the stormwater detention facility and keep it on the side of the R-2 zoning district of the conservation subdivision.
- Mr. Sweat Is it the intension of the developer to deed the detention pond to the HOA?
- Mr. Wetzel Correct.
- Mr. Sweat So the HOA would be responsible for maintaining it.
- Mr. Wetzel Correct. As with any detention pond facility built within the Township. It is similar to the ones built in the middle of the woods on developments you do not see it. Here you end up seeing because you drive by it.
- Mr. Sweat Any other questions?
- Mr. Aquilino Do you have any idea what it costs to fix a detention pond? Any clue when the HOA gets one, do you think they are going to have \$30,000.00 in their account. Do you know how much an association has at the end of the year \$1,000.00 for cutting grass? The developer has that detention pond for several years then he deeds it over, then the association has it they are not going to have money. You know what they are going to say your detention pond is bad. We need to fix it. How are you going to get the money for it?
- Mr. Wetzel That's why you have the Home Owners Association.
- Mr. Aquilino Where are you going to get the money for it? What is going to happen is it is going to flood and cause nothing but trouble.
- Mr. Hladycz John Hladycz, 597 Thomas Road Eighty Four, PA 15330.
- We are not here to stop any progress. He has a right, his client has a right to build the houses. We are on the other side of Ross Road, two weeks ago there was a big storm and all the water comes down the hill and floods. This is a public meeting and I am concerned about all the water runoff.

- Mr. Balogh We have had a lot of issues with flooding. Some of us attended a flood summit meeting. DEP, Conservation District, FEMA was present. This is not a situation that is going to blow over. This is top priority right now.
- Mr. Greaves Tom Greaves, 608 Thomas Road Eighty Four, PA 15330.
- I live behind this gentleman. All the water gets contain there and floods out. I have seen Mr. Aquilino's septic system flood. Right now you have 30 acres of infiltration now we are going to have roadways with all the water runoff. Now I see the other side of the road is for sale. Which I know is not part of this. But that proposes more houses then they are going to add that to the detention pond. He said it does not affect the clearwater stream so it is set back 50 feet it looks like it is 10 feet from my property line. I can't see the difference between the storm water and where the clearwater stream, the flooding is a true concern. You will have all the septic tanks get flooded.
- Mr. Sweat The homes on Ross Road are all services by septic systems?
- Mr. Marasco Yes.
- Mr. Sweat They do not have any sewage there?
- Mr. Marasco No.
- Mr. Sweat With no plans to extend public sewers?
- Mr. Marasco No, not at this time.
- Mr. Sweat Any more comments?
- Mr. Aquilino One comment, it is not even one stream anymore, it is actually three.
- Mr. Sweat Ok just to clean the record I am going to go through the exhibits.
Exhibit A – Conditionl Use Application filed by Waterdam LP, December 22, 2017 along with the copy of the transcripts.
Exhibit B - narrative that was attached to the application of the Walnut Grove project and it breaks down the explanation of the conservation subdivision and the subdivision plans.
Exhibit C – Copies of the letters the Township received from Victor Wetzel on behalf of Waterdam LP, requesting the tabling of the consideration of the conservation subdivision by the Planning Commission.
Exhibit D – Advertisement notices and the proof of publication indicated the notice of this hearing published in the Observer Reporter in the legal section on March 6th and March 13th which is the notices requirements for the public hearing.
Exhibit E – Copy of the notice sent to the residents within 300 feet of the development.
Exhibit F – The review letter from Washington County Planning Commission.
Exhibit G – Gateway Engineer's review letter
Exhibit H – The minutes of the North Strabane Township Planning Commission based on their consideration of the conservation subdivision at the February 19, 2018 meeting. Attached is a letter stating the Planning Commission recommended approval of the conservation subdivision.
Those are the exhibits. Any additional exhibits?
- Mr. Wetzel No.
- Mr. Sweat With that we will close the record. Turn it back to you Mr. Chairman.
- Mr. Balogh Thank you Mr. Sweat. Any other comments from the Supervisors? This conditional use hearing is adjourned.
- Mr. Wetzel Regard to whether the application or the public hearing, we are requesting it be

tabled so we can address comments from the Board and Mr. Sites.

Mr. Sweat I take it you want the hearing continued?

Mr. Wetzel Yes, the record open. Because of the comments placed here tonight not only from the citizens but the Board as well as the engineer, we need to address some of those comments.

Mr. Sweat If you are saying you want this hearing continued, then that is what we will indicate on the record. The applicant is requesting this hearing be continued so they have the opportunity to provide additional information and to respond to some of the comments made by the Board and citizens.

Mr. Wetzel We need to provide a letter to the Township regarding continuing the hearing.

ADJOURNMENT All business being concluded, the special meeting adjourned at 7:21 P.M.

Robert F. Balogh, Chairman

Andrew L. Walz, Manager-Secretary

dmk