

	<p>The North Strabane Township Planning Commission met in regular session on Monday, September 17, 2018, 2018 at 5:30 PM at the Municipal Building located at 1929 Route 519, Canonsburg, PA 15317</p> <p><u>Attending This Session:</u> Jeffrey DePaolis, Chairman Diane Balogh, Vice-Chair Michael Kelly, Secretary Barry Crumrine, Commission Member Kandi Jablonski, Commission Member</p> <p><u>Also Attending This Session:</u> Gary Sweat, Township Solicitor Joe Sites, Township Engineer Margaret Householder, Planning Coordinator Colleen Mellor, Stenographer</p>
<p><u>PUBLIC COMMENTS:</u></p> <p><u>APPROVAL OF MINUTES:</u> August 20, 2018</p> <p><u>OLD BUSINESS:</u></p> <p><u>NEW BUSINESS:</u> LEGACY PARK PHASE 1- AMENDED SUBDIVISION PLAN NO. 1 LEGACY PARK PLAN OF LOTS IN A C-1 DISTRICT.</p>	<p>None.</p> <p>A motion was made by Barry Crumrine and seconded by Michael Kelly to approve the minutes of the August 20, 2018 meeting.</p> <p><u>ROLL CALL OF VOTES: 5 YES – 0 NO</u></p> <p>None</p> <p>Legacy Park Phase 1– Amended subdivision plan NO. 1, creating sub lots for unit construction for lots 1 through 10 in the Legacy Park plan of lots in a C-1 district. The following letter was submitted by Gateway Engineers dated: September 14, 2018</p> <p>North Strabane Township Planning and Zoning Commission 1929 Route 519 South Canonsburg, PA 15317</p> <p>Re: Legacy Park- Phase 1 – Amended Subdivision C-1 Zoning District – Route 519 South</p> <p>Members of the Commission:</p> <p>We have received and reviewed amended subdivision plan Phase 1 of the Legacy Park Plan of Lots located on 31.729 acres in the C-1 zoning district as prepared by Wind Ridge Engineering dated August 2018. The purpose of this amended</p>

<p>MOTION TO APPROVE LEGACY PARK PHASE 1- AMENDED SUBDIVISION PLAN NO. 1</p> <p>SHEETZ /RACETRACK ROAD – PRELIMINARY SITE PLAN APPROVAL</p>	<p>subdivision plan is to re-subdivide Lots 1 through 10 to delineate the individual building units for recording so that the Washington County Recorder of Deeds office can assign Tax Parcel ID Numbers to each unit. No new lots are being created with this subdivision which was previously approved. Upon completion of construction of the units additional amended plans will be recorded for each building along the party walls based on an “as-built” survey.</p> <p>The plan is in order for consideration for approval.</p> <p>The plans have been reviewed for conformance to Township Ordinance standards only. The review is based on information prepared by others and assumes this information is correct and valid as submitted.</p> <p>If you have any questions, please contact me.</p> <p>Sincerely, THE GATEWAY ENGINEERS, INC. Joseph H. Sites, P.E. MBA Township Engineer</p> <p>Joe Sites spoke about the intended subdivision. Joe stated Ryan Homes only wanted to buy the land associated with one building. In order to do that they had to get subdivided further so they could get tax parcel identification numbers assigned to it.</p> <p>Gary stated even though it is designated an amended subdivision nothing is changing. We knew from day one it was always going to be subdivided with these units and conveying title by fee simple. The only way they can do a deed by fee simple is to do this amended subdivision so the tax assessor can designate tax parcel numbers for each of these unit lots.</p> <p>Joe commented these lots are all Phase I lots and that is all that Phase I consists of. At this time, they do not know how they are going to do Phase II; whether they are going to do condominiums or continue with more townhouses. We will still be watching to make sure they do not exceed the density that is there. One thing to keep in mind for Phase II is they need to make the connection to RT519 which will require the necessary permit from PennDOT and making upgrades to RT519 that may include construction of a center turning lane.</p> <p>A motion was made by Barry Crumrine and seconded by Michael Kelly to approve Legacy Park- Phase 1 – Amended Subdivision, lots 1 through 10.</p> <p><u>ROLL CALL OF VOTES: 5 YES – 0 NO</u></p> <p>Sheetz at Racetrack Road – Preliminary site plan approval for a 5,998 sq. ft. Sheetz Convenience Store on a 1.78 ac. parcel on Racetrack Road in a C-2 zoning district. The following letter was submitted by Gateway Engineers dated:</p>
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<p>FOR A 5,998 SQ. FT. CONVENIENCE STORE IN A C-2 ZONING DISTRICT.</p>	<p>September 14, 2018</p> <p>North Strabane Township Planning and Zoning Commission 1929 Route 519 South Canonsburg, PA 15317</p> <p>Re: Sheetz Site Plan – Preliminary Application – C-2 Zoning District Racetrack Road and Meadows Drive</p> <p>Members of the Commission:</p> <p>We are in receipt of and have reviewed the preliminary application for the development of a 5.998 S.F. convenience store on 1.76 acres in the C-2 zoning district. A Convenience Store is a permitted use in the C-2 zoning district per §1001(A) k. The following are comments relative to the site plan revised dated September 12, 2018 and stormwater management report dated September 11, 2018 both as prepared by Langan Engineers and the Subsurface Investigation dated February 23, 2017 as prepared by Construction Engineering Consultants, Inc.</p> <p>Site Plan The site plan is in order for consideration for preliminary approval.</p> <p>Stormwater Management The Washington County Act 167 plan set forth guidelines that requires a stormwater management report if the site is over 5,000 square feet of impervious area in which full rate controls, volume controls and SWM must be provided. Completing a no-harm analysis is no longer permitted.</p> <p><i>This comment has been addressed with the submission of an amended PCSM Plan and Narrative. The plan was reviewed for compliance with requirements of §302.10 of the subdivision and land development ordinance for Preliminary Application. Further review and comments will be provided prior to Final Approval.</i></p> <p>Traffic We have completed a review of the traffic study that had been prepared in which the initial scoping meeting was on December 6, 2016 resulting in a August 31, 2017 PennDOT approval for a 5,300 S.F. building with 10 fueling positions. The current submission indicates 5,988 S.F. and 10 fueling positions. We question why the plan was submitted with the larger building that does not comply with the PennDOT approval. This must be addressed.</p> <p><i>This comment has been addressed with the submission of an amended Traffic Study.</i></p> <p>Geotechnical</p>
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In general, the report recommendations are in accordance with local geotechnical industry standards, however there are a few comments regarding the report as follows:

1. On Page 3 of the report it states that a Shelby Tube sample was procured from Boring 1. Page 7 and the lab report in Appendix C indicate that the Shelby Tube was procured from Boring 14. This should be clarified by CEC.
2. Further, the SPT blow counts for the sample taken at the apparent depth of the Shelby Tube in Boring 14 was only 3. CEC should review this and determine if the design parameters assigned to this material are appropriate.
3. Although not anticipated, on Page 11 CEC states that fill embankments should be supported with a drained bench as shown in Appendix E. That detail indicates that the bench should extend to competent residual soil or bedrock. CEC should define what they consider to be competent residual soil at this site.
4. The developer should confirm that CEC will provide full-time site inspections during the construction phase of the project to confirm that their recommendations are properly implemented. At the completion of the work they should provide a summary letter indicating the same.

The above comments have been addressed with the submission of the revised submission.

General

Prior to Final Site Plan approval, the following items will need to be addressed:

1. An NPDES permit will be required for the site. The Erosion and Sedimentation Control Plan must be submitted to the Washington County Conservation District for review and approval. *The applicant has indicated that a full NPDES Permit was submitted to the Washington County Conservation District for Expedited review and approval on August 21, 2018 and approval is pending. No grading permit will be issued until NPDES approval is obtained.*
2. As per §304.3 of the subdivision and land development ordinance, the developer must execute a Developers Agreement with the Township prior to being granted final approval by the Board of Supervisors. *The applicant has indicated in their response that they are currently working on reviewing the developer's agreement for submission.*

3. A copy of the plans should be submitted to the Public Works Director, Building Inspector/Zoning Offices and Fire Chief for review and comment prior to final approval. ***The applicant has indicated that plans will be submitted for review and comment.***
4. The plans must be submitted to the Municipal Authority for review and comment. ***The applicant has indicated that the plans have been submitted to the Municipal Authority for review and approval and that a revised set was submitted on September 4, 2018.***
5. The plans must be submitted to the North Strabane Township Fire Chief for review and comment. ***The applicant has indicated that the plans have been submitted to the Fire Chief for review and comment in which a response from the Fire Chief has been provided.***
6. Prior to any construction on the site, a pre-construction meeting with the Engineer, Public Works Director, and the Developer must be held. ***The applicant has agreed to the pre-construction meeting on site before any work begins.***
7. The requirement for a planning module must be reviewed by the Planning Coordinator. ***The applicant has indicated that they are currently coordinating with CHJA regarding their review of the Planning Module Mailer Exemption in which a letter from the NSTMA Municipal Authority Engineer has been provided that states that there is available and capacity for the development.***

Based on the aforementioned, the plan is in order for consideration for preliminary approval.

The plans have been reviewed for conformance to Township Ordinance standards only. The review is based on information prepared by others and assumes this information is correct and valid as submitted.

If you have any questions, please contact me.
Sincerely,
THE GATEWAY ENGINEERS, INC.
Joseph H. Sites, P.E. MBA Township Engineer

Jeff Wilhelm, Attorney with Reed Smith on behalf of the applicant Sheetz Inc. is present to discuss the project at the intersection of Racetrack Road and Meadows Drive. Jeff stated they have already been in front of the Zoning Hearing Board with respect to the variances that were needed for this project. The variances were approved on July 18, 2018.

Ben Hunter of Langan Engineering presented the highlights of the proposed Sheetz site. Ben pointed out the 3 access points into the site. There will be right in right out from Racetrack Road, a dive in off Meadows Drive, and a full access road off relocated Allison. He pointed out the stormwater detention system.

Barry questioned where the cattails were located at. Ben stated a wetland delineation was done along the stream and there are no wetlands associated there. Gary asked for the grading issues to be addressed with the board. Some are concerned with that. Jeffrey Wilhelm stated they meet the grading of the pending except along the river way. That river way is currently within a DEP joint permitting process. Drawings were submitted with a 2 to 1 slope supported by a geotechnical report. This process was started May of 2017 with a reapplication meeting. Legally it is their position that application came before the pending ordinance. Specifically, there is a provision in the SALDO portion of the MPC which is 10508 that explicitly says it is the ordinance at the time of the application that controls.

Jeffrey pointed out the slope is actually in the purview of the DEP to approve. There will be state approval of the design in that area which would be necessary for them to get in order to construct.

Jeff questioned the access points, specifically the dive in. He stated you are 30 ft. from Allison Road and you are in an undivided section of roadway so there is nothing to prohibit anybody from making a left there instead of using Allison Road. There is a traffic study done for the development that shows absolutely nobody using that driveway.

Josh Haydo PE, PTOE, David Wooster & Associates, stated he did the traffic study and that access will be used for site circulation. This will to allow people enter the site more easily.

David Mastrostefano, In House Engineer & Permit Project Manager for Sheetz Inc., discussed the traffic flow in, around and out of the site. With the flow in and out of the Casino they felt with a circulation standpoint relative into and around the store it would be a convenience. Sheetz locations are only as good as their access into and out of the facilities.

Jeff again expressed concern with people coming off Racetrack Road on Meadows Drive and turning left into the dive in. He feels it is not that severe of a dive in. David stated there are numerous times that people will make illegal turns, make "no turn on red", and go through stop lights. At the end of the day if they want to break the law and make an illegal that left turn it would be kind of hard to stop that. Barry questioned if the dive in could be moved down closer to Racetrack Road. David stated that would not work with the parking and the current configuration. As the dive in shows now that is what works with that location.

David commented they have almost the same situation at the new Sheetz store located in Franklin Township when you come off Wexford Bane with a dive in to that store which is the same model as this.

Kandi stated she is familiar with that location in Franklin. The traffic is a completely different flow there.

Diane asked Gary for his input. Gary stated he agreed that the application was filed in the timely manner under the existing grading ordinance. He also agrees the pending ordinance does not determine how the board looks at the grading

ordinance until it is finally adopted. The MPC is very specific until there is a final ordinance approved by the governing body. They are to be analyzed under the ordinances that are in play. Land use is different. A pending ordinance will determine how you look at the land use but not in the case of the grading ordinance.

Kandi questioned if there was any way of relocating or omitting the drop in entrance. The challenge is this a 40 MPH road from Racetrack. When they come up Meadow there is a lot of in and out from the other adjacent facilities. The left hand turn presents a challenge with no median and it is not sharp enough to where it makes it impossible.

David replied from the standpoint of the angle he was not sure what the exact angle was but he feels it is less than 45 and a typical dive in is 60 to 45 degrees to the road that it is connecting to. Moving the entrance closer to Racetrack Road there will be more vehicle interaction with parking.

Kandi stated maybe angle it differently where it becomes more of a third lane than a dive in. That may prohibit folks from making that left hand turn.

David stated they can make it more of an angle to deter people from making an illegal left turn.

Michael Kelly stated make it more of a turning lane.

David stated they cannot add a lane from a grading stated point. This all slopes down. It can be brought down to be steeper and more severe.

Jeffrey Wilhelm commented prior to the Hyatt and The Streets going in Allison Road extended to a certain point. That was full left in left out that was a full access drive at that point. When the Hyatt and The Streets came in they did the traffic study. They wanted that road to move. They could not move that road in the absence of an agreement with the Doubletree. That roads serves to the Doubletree. It is a private road. Both roads are private and that is 25 MPH. That is the speed limit on these roads. Meadows and Allison are not township roads but they are both private drives. Putting the access as is shows it does encourage only that right in.

Barry questioned if Allison Road is private did they have to get permission to use Allison Road. David stated lot 2 is part of the subdivision plan created by the Casino back in 2013 which bound the lots. All are bound together with a reciprocal easement agreement. Sheetz does have a driveway easement and a maintenance agreement for access on this road. The only agreement that has not been recorded yet would be the driveway agreement. It is contingent upon Sheetz getting their entitlements.

Diane asked if anything has been submitted in writing to Gary Sweat regarding your position on the grading issues. David replied Mr. Sweat has a letter from his offices outlining their position including the provisions of the MPC that speak directly on this point.

Diane questioned if Gary was going to prepare something. Gary replied the MPC is very clear.

David Mastrostefano proceeded to discuss the elevations and the appearance of the proposed Sheetz store.

Michael Kelly questioned item #4 of the letter from Langan Engineers, the geotechnical portion. It states the developer should confirm that CEC will provide

full-time site inspections during the construction phase. The response back was that provided that CEC is hired that will be a requirement. It should be a requirement whoever is hired.

David agreed that will happen. Not all the geotechnical firms that they necessarily hired on the front end of the project that drill the site have testing capabilities.

CEC in this particular case has both drilling and inspections.

Jeffrey DePaolis stated to Joe Sites in regards to the recommendation letter he does not see anything about the HOP for the driveway on Racetrack Road. He did see the NPDES permit. Joe replied the traffic was reviewed and everything from PennDOT was approved. Jeffrey DePaolis stated he understood, but it still needs a HOP to get access to Racetrack Road. Jeffrey Wilhelm responded Jeff is correct. Sheetz will need as condition for preliminary and final approval all third party permits which would include HOP.

A motion was made by Kandi Jablonski to approve Sheetz at Racetrack Road – subject to the elimination of the dive in and final HOP approval. Motion failed due to lack of a second.

Diane stated she thinks there is a general concern about the traffic and grading event though there are some legal positions to be reviewed. We are concerned about the traffic that continues to be added to Racetrack Road. For those of us that live in this community we are seeing more and more accidents. You are taking the position you cannot control what people do.

Kandi discussed the Sheetz store located on University Boulevard. There is one in and out on University Boulevard and a shared drive between Kenny Ross. So there is only in and out at two locations. There is no dive in there. Kandi stated she knows it can be done as she provided the example.

Kandi stated she does not see the reason to keep the dive in there. She gets it is for convenience factor.

Diane's concern is what can we do to minimize that kind of traffic and fatalities.

The Sheetz team stepped out for private discussion.

When they returned Jeffrey Wilhelm thanked the members for their patience. He stated where they come out with this is this body is a recommending body only. It has a right to approve or deny or approve with conditions. He appreciates the boards' concerns with respect to the dive in. It seems it is the sole issue that is holding this up. The way it works legally is it goes up to the Board of Supervisors. The Board of Supervisors can elect to follow your recommendation or they can elect to reject your recommendation or they can elect to put additional conditions on. The conditions themselves, once they are imposed by the Board of Supervisors, there is a 30 day period for the applicant to decide whether or not they are going to accept or not accept the conditions. There may be other issues. At this point in time there was a motion on the floor to recommend approval subject to the elimination of the dive in. Jeffrey stated that is the way he feels. It should go up to the supervisors.

Jeffrey DePaolis asked Gary Sweat if the motion on the floor was still valid. Gary stated the motion was dropped due to lack of a second. Diane stated she could make a motion.

<p>MOTION TO DENY– PRELIMINARY SITE PLAN FOR SHEETZ CONVENIENCE STORE ON RACETRACK ROAD IN A C-2 ZONING DISTRICT.</p>	<p>A motion was made by Diane Balogh and seconded by Kandi Jablonski to deny preliminary site plan approval for the Sheetz Convenience Store application located on Racetrack Road.</p> <p><u>ROLL CALL OF VOTES: 4 YES – 1 NO (J. DePaolis)</u></p>
<p>OTHER BUSINESS:</p>	<p>There was no other business to discuss.</p>
<p><u>ADJOURNMENT:</u></p>	<p>Kandi Jablonski made a motion and Barry Crumrine seconded to adjourn the meeting at 6:25 PM.</p> <p><u>ROLL CALL OF VOTES: 5 YES – 0 NO</u></p>
	<p>_____ Jeffrey DePaolis, Chairperson</p>
	<p>_____ Michael Kelly, Secretary</p>