

BUFFALO TOWNSHIP PLANNING COMMISSION – REGULAR MONTHLY MEETING – AUGUST 1, 2018

The Regular Monthly Meeting of the Buffalo Township Planning Commission was held Wednesday, August 1, 2018 in the Buffalo Township Municipal Building and convened at 7:30 pm. The Meeting was called to order by the Chairman, Ray Smetana. This Meeting is being recorded. If anyone is taping this Meeting, please state your name and address.

Roll Call

Ray Smetana - Present
Chris Foust - Present
Sue Gregory – Absent - emailed
Tim Gottus – Present
Grant McConnell – Present
Donna Davis – Present
Amy Trulik – Present
Joe Charlton – Present
Ken Howard – Present
Roger Kelly – Present

A majority of the Planning Commission Board being present, the Chairman declared the Meeting open for the transaction of business.

APPROVAL OF THE MINUTES of the July 5, 2018, Regular Monthly Meeting of the Buffalo Township Planning Commission, as recorded, was on motion of Grant McConnell, seconded by Chris Foust. Motion Carried. Un. Approval.

LAND DEVELOPMENT

VIS-SIGNS - 56 MINI STORAGE – SIGN – 136 BEAR CREEK ROAD

VIS Signs is purposing to add a sign to the existing sign along Route 356 for their mini storage location. The existing 56 Mini Storage Signage is 4’ high by 8’ wide. The purposed U-Haul sign is 18” high by 3’ wide. The new proposed changeable copy board is 25 ½” high by 88” wide equaling 15.58 square feet. The purposed sign will be located just below the original sign on the same pole as in the photos.

The Township Office received a Detailed Description of the Sign, location of the sign was not shown, Municipal Authority of Buffalo Township comment letter dated 7/30/18 (MABT has no formal comment regarding the installation of this sign) and Bankson Engineer comment letter dated 7/31/18 (Bankson Engineers comments are as follows: Please demonstrate that the sign apparatus, including existing signs and proposed additions, is in compliance with the following Ordinance thresholds: Signage Area Permitted, Maximum Area per Sign, Maximum Height per Sign (measured from existing grade), Setback, Illumination. The applicant shall provide plan drawings and a brief narrative that demonstrate the location of the existing sign, compliance with all setbacks, orientation, and all other aspects of the Ordinance. Per the Ordinance, electronic signs are only permitted as conditional uses within the B-1 and B-2 Zoning Districts. The Applicant’s property appears to be in the A-1 Zoning District. Please submit supporting structural information in the form of detail drawings, dimensions, and

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calculations demonstrating that the existing pole structure will be able to accommodate the proposed electronic sign addition and will not be a wind hazard or a threat to human life or property in any other way.

Robert Goldstrohm, manager of the 56 Mini Storage. We started in 1999 and opened up in 2001. I live in Allegheny Township. The sign is to let people know what size the units are and to maybe do some advertising for things that will be going on in the township. It is not to advertise other businesses. Ray Smetana asked if Mr. Goldstrohm had received his letter from Bankson Engineers and he stated that he had not. Ray asked if Ken Howard could review the comment letter. Ken stated that he will review our letter and read it basically verbatim. We are in receipt of 56 Mini Storage sign submission drawings. These plans are submitted on behalf of the Applicant by VIS Signs/Visual Information Systems, Inc. We have been requested to review these documents for conformance with the applicable portions of the Township Zoning Ordinance, Ordinance No. 121. Our comments relative to our review are as follows: Zoning: 410.2: Each use may have a combination of freestanding, roof, or wall signs meeting the standards of the following table: Please demonstrate that the sign apparatus, including existing signs and proposed additions, is in compliance with the following Ordinance thresholds: Signage Area Permitted, Maximum Area per Sign, Maximum Height per Sign (measured from existing grade), Setback, Illumination. 410.4: Electronic Signs: Signs with video, LED or similar electronic changeable copy messages are permitted a conditional use in the B-1 and B-2 Business districts provided the developer of the sign shall clearly describe the type of electronic sign proposed as it meets the appropriate definition of electronic signs in this Ordinance. No electronic sign may function as a billboard except in the strict conformity to Section 410.3. Signs shall meet all area and setback limitations for the distance in which it is proposed. Additional setback from residential districts: All portions of the sign structure must be a minimum distance of one hundred (100) feet from an abutting R-1 or R-2 residential district boundary. Setback from other electronic changeable copy, electronic graphic display or video display signs. Electronic signs must be separated from other electronic signs by at least thirty-five (35) feet. No more than one electronic sign is permitted on a lot, regardless of how many tenants occupy that lot. Audio or Pyrotechnics. Audio speakers or any form of pyrotechnics are prohibited in association with an electronic sign. The Supervisors may limit the hours of illumination or operation, or amount of illumination of electronic signs pursuant to preventing light trespass, and unnecessary nighttime glare. Because messages on these types of signs may be changed quickly, the developer shall present an operating plan that includes proposed message duration, transitions between messages, and any transitional special effect proposed. The developer shall show drive reaction times, speed, and sight distances for vehicles that will be in view of the sign and show the sign will not present an undue distraction to motorists. The Applicant shall provide plan drawings and a brief narrative that demonstrate the location of the existing sign, compliance with all setbacks, orientation, and all of the aspects of the Ordinance as shown above. General comments: Per the Ordinance, electronic signs are only permitted as conditional uses within the B-1 and B-2 Zoning Districts. The Applicant's property appears to be in the A-1 Zoning District. Please submit supporting structural information in the form of detail drawings, dimensions, and calculations demonstrating that the existing pole structure will be able to accommodate the proposed electronic sign addition and will not be a wind hazard or threat to human life or property in any other way. Those are our comments and I really don't believe it fits into this zoning district. Ray Smetana stated no, that is what I see too. That is the biggest stumbling block right there that it is not permitted. Steve Gerson, President of VIS Signs stated that here is the site plan for that location. Ray Smetana stated that is our Engineer Right there. Here is a drawing showing the location of the sign. It has been there for a very long time. Our plans are to put the electronic sign onto

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the existing sign. As far as your request, we only received the review letter this morning. There is no problem we will be happy to get you a signed sealed drawing. What we are planning on installing is an electronic changeable copy board. It will not flash, and it will not animate. Our signs will be brighter during the day and dimmer during the night as not to be distracting to passersby. Ray Smetana stated that I don't feel we need all that information right now because the sign is not permitted where you are trying to put it. The Zoning does not permit that type of sign. Mr. Gerson asked is there any way we can change that? Ray Smetana asked if the Zoning could be changed in that area? Atty. Charlton asked where exactly is the property located? Who owns the property next to yours? You would have to be abutting a business and then the neighbor's property would need changed also. There would be several hurdles that you would need to go over and we can't guarantee that this would work. Mr. Goldstrohm asked if there could be a variance. Atty. Charlton stated no, because this is a self-created hardship. That would only work if you had a unique feature to the property that you did not create. You are completely surrounded by residential and agricultural. You and your neighbor would have to go through a zoning change to business, you would have to have a Public Hearing and make sure there would be no objections from anybody else. Is this in the Penn DOT Right of Way? Mr. Goldstrohm stated no, it is not. Atty. Charlton stated the threshold that I see right now, is one, it is not even allowed in there right now and the Planning Commission wouldn't even have the power to recommend it to the Board of Supervisors that it would be allowed. Atty. Charlton stated that he wouldn't want them to go through the Zoning change and pay the \$800.00 for the Conditional Use and then not be able to be permitted to make the change and still could not put the sign up. Mr. Gerson asked is it just because we aren't making the setback and the reason we aren't making the setback is because it was put in years ago? Atty. Charlton stated that the setback is your next big hurdle. Ray Smetana stated that you may have to repost that sign. Mr. Gerson asked that the setback is the only thing we don't meet the requirements on? Donna Davis stated and the Zoning.

Motion was made to table VIS Signs – 56 Mini Storage – Sign at 136 Bear Creek Road until next Planning Commission meeting on September 5, 2018 by Amy Trulik, seconded by Grant McConnell. Motion carried. Un. Approval.

R. SYPULSKI PLAN – LOT LINE REVISION – 245 & 247 BEAR CREEK ROAD

R. Sypulski is proposing a lot line revision to reconfigure tax parcel A5D5 and A5D6 located on Bear Creek Road. Both parcels have existing dwellings with public water & sewage. Revised Lot 4 was 2.142 acres and will be 1.844 after the revision. Revised Lot 5 was 2.21 acres and will be 2.508 acres after the revision. There is currently a dwelling on revised Lot 5 that will be razed within 90 days of the occupancy of a new dwelling that will be added.

The Township Office received the Lot Line Fee, application, 7 copies of the Plan, BCPC comments dated 7/25/18 (BCPC did not have any comments regarding this plan), Municipal Authority of Buffalo Township comment letter dated 7/30/18 (MABT would like to offer the following comments: a) Public water and sewage is currently furnished to both properties. b) Because of the proposed distance of the new structure for Revised Lot 5, the customer will be required to furnish and install a meter pit. Customer is also advised that because of the distance, a larger diameter waterline and meter may be necessary, which could incur additional costs. c) A 25' sanitary sewer right of way exists through the property for Revised Lot 5. Customer is advised that if any damage occurs to the sewer main during

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construction of the proposed dwelling, customer will be responsible for repairs), Bankson Engineer comment letter dated 8/1/18 (Bankson Engineers comments are as follows: Please show a dedication of Right of Way on the Drawing that establishes 25 feet from the centerline of Bear Creek Road. Right of Way dedication shall be shown on the drawing for each of the Revised Lots).

Ken Howard stated that we have a couple comments. We viewed this drawing and this plan includes the transfer of two separate property tracks between adjacent property owners. The area and size of the revised lots conform with the A-1 zoning requirements. We would like to take note that the existing dwellings encroach into the side yard setbacks. The dwelling on revised Lot 4 is a nonconforming existing condition with regard to setbacks and the dwelling on revised Lot 5 is also nonconforming with setbacks but it is purposed to be razed. They are going to tear it down as part of this plan. The only comment that we have is that Stan show the Right of Way dedication along Bear Creek Road for the 25' for the additional dedication of Road Right of Way for roadway purposes. We would ask that they raze the house within 90 days of completion of the new house.

Motion to make a recommendation of the R. Sypulski Plan, Lot Line Revision at 245 & 247 Bear Creek Road contingent upon Bankson Engineers comments and recommendation that the Board of Supervisors do not issue a Certificate of Occupancy until satisfactory evidence of razing original house is provided by Chris Foust, seconded by Tim Gottus. Motion carried. Un. Approval.

J. PFLUGH PLAN – LOT LINE REVISION – 165 CREEKSIDE DRIVE

J. Pflugh is proposing a consolidation of tax parcel numbers S15-A113 and S15-A114 into one parcel. Revised Lot 113 will be .26 acres after Lot 114 is added. Existing Lot 113 has an existing dwelling and shed.

The Township Office received the Lot Line Fee, application, 7 copies of Plan, Butler County Planning Commission comments dated 7/25/18 (BCPC did not have any comments regarding this plan), Municipal Authority of Buffalo Township comment letter dated 7/30/18 (MABT currently has water and sewage service to this property and has no formal comment to offer regarding the proposed lot line revision), Bankson Engineer comment letter dated 7/31/18 (Bankson Engineers comments are as follows: In the Area Summary Table, please revise the Tax Map Parcel Number for Existing Lot 113 to match the number shown on the drawing).

Ken Howard stated that this is a simple lot line revision. The owners did not want another structure built adjacent to their home, so they decided to purchase the property next to their home. They are just deleting the line between their home and the vacant lot next door. There is only one comment that we have. We are asking that Stan Graff modify one number on his chart which would be correcting the parcel number. We recommend approval with the plan as submitted.

Motion to make a favorable recommendation of the J. Pflugh Plan, Lot Line Revision at 165 Creekside Drive contingent upon Bankson Engineers comment letter dated 7/31/18 by Donna Davis, seconded by Grant McConnell. Motion carried. Un. Approval.

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REMARKS FROM THE FLOOR

Monica Velez stated she has an Auto Detail Business at 101 N. Pike Road and she is looking to see if she could move it into a commercial overlay zone at 808 S. Pike Road. It will be a home business and I will reside there, and I am just going to be detailing vehicles. It will be seasonal, only during the warm months and here and there throughout the winter. We have been given the opportunity to get a bigger house. It will be the same landlord, Mary Ann Costan and she said if we can get it commercial that we can finish up this season at 101 N. Pike Road and move our business to 808 N. Pike Road which is the building with the blue metal roof. It has a much larger area to work with. People just drop their vehicles off and come back to pick them up when they are done. This will be done in the attached garage. I have my office in the house. Atty. Charlton stated this could be considered a home occupation. Ray Smetana asked if there are other people working for you? Mrs. Velez stated no, just my family. My husband and my daughters. Atty. Charlton asked if they are selling anything. Mrs. Velez stated no. Atty. Charlton stated you would have to go through the Conditional Use process. Well, Mary Ann will have to go through the process since this property belongs to her. Stop by the office and see Rhonda for all the information/paperwork. Ray Smetana stated that if you are able to get everything together then you will be coming in front of us next month on September 5th.

Anne Gallagher, Cole Road stated I have some questions. I am confused about the requirements or the zoning laws regarding small scale agriculture in R-1 and R-2. I am getting mixed messages, so I wanted to talk with you to see what is or is not allowed now and what was purposed. It was my understanding that you can have chickens in R-1 and R-2, is that correct? Ray Smetana answered right now, no. Anne stated but there are some people who do. Ray Smetana answered yes that is correct. Anne stated that is why I thought we could. Anne stated I have 6 acres in R-2. Across the road is R-1 and beside me is Agriculture at the crest of the hill. Atty. Charlton stated that you could have chickens if you are in R-1 with a Conditional Use the way it is now but not in R-2. Atty. Charlton stated that you have to voice your opinion with the Board of Supervisors. Christina Myers stated that they couldn't even give a date as far as when the hearings will be. Ray Smetana stated that they will first have to vote on a date and time for the Public Hearing. Anne Gallagher asked if there will be a meeting prior to the hearing where we can have input? Atty. Charlton stated that we did months of reviewing and have several different things that will be changed. The reason for the hearing is so the opinions can be voiced. Ray Smetana stated I am sure the changes will be available to be seen by the public. Anne stated here's a thought years ago we purchased a Zoning Ordinance Booklet. We were charged \$50.00 for the Book. Why can't it be on the Website for the public to view? Atty. Charlton stated that is something that you will need to bring up to the Supervisors. Anne asked if it is on the website now? Rhonda Swartz stated yes.

ADJOURNMENT was on a motion of Grant McConnell, seconded by Chris Foust at 8:45 pm. Motion carried. Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY