

**BUFFALO TOWNSHIP PLANNING COMMISSION – REGULAR MONTHLY MEETING – NOVEMBER 7, 2018**

The Regular Monthly Meeting of the Buffalo Township Planning Commission was held Wednesday, November 7, 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 – Present  
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 October 3, 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**

**STOVER/NEYMAN – 109 HIDDEN CLIFF ROAD & 135 SARVER’S MILL DRIVE – LOT LINE REVISION & CONSOLIDATION SUBDIVISION PLANS**

George R. & Angela M. Stover, 109 Hidden Cliff Road – Lots 220R3 & 221R2 and Debra Neyman, 135 Sarver’s Mill Drive – Lot 123R are proposing to divide Lot 221R2 to increase the size of their existing lots.

The township office has received the Lot Line Revision Fee, Lot Line Revision Application, 4 Copies of Plan & 1 Mylar, Butler County Planning Commission comments were not supplied, Municipal Authority of Buffalo Township comments received 10/25/18, MABT furnishes water & sewage service to this area. There are no formal comments to offer regarding the requested Lot Line Revision, Bankson Engineer comments received 10/5/18 are as follows: We are in receipt of the subject Lot Line Revision and Consolidation Subdivision Plans drawings for the Sarver’s Mill Planned Residential Development. These plans are submitted on behalf of the Applicant by The Meritage Group, L.P. We have been requested to review these documents for conformance with the applicable portions of the Township Zoning Ordinance, Ordinance No. 121 and Subdivision and Land Development Ordinance, Ordinance No. 122. We have reviewed the submitted documents and offer the following comments: Please display the acreage of existing lot 221R2, which is to be abolished per the subject revision, and display the acreage to be added to proposed lot 126R and 220R3, as well as the total acreages of these lots,

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following consolidation. Please correct spelling and grammatical errors present in the title block and signature blocks of Drawing Number MG-SM 126R.

Ken Howard with Bankson Engineers stated that there are a couple items that need to be addressed and stated what they were. Ken also stated that he spoke with Bob Bednar of The Meritage Group and that Bob would be able to make the changes as requested. Ken stated that with the changes being made he feels that this could be approved as presented contingent upon their comment letter dated 11/5/18.

Motion to make a favorable recommendation of the Stover/Neyman, Lot Line Revision & Consolidation Subdivision Plan contingent upon Bankson Engineers comment letter dated 11/5/18 by Grant McConnell, seconded by Amy Trulik. Motion carried. Un. Approval.

### **AUDUBON SOCIETY TODD NATURE RESERVE – KEPPLER ROAD – SIGN**

The Audubon Society of Western PA is proposing to replace the original sign at the Todd Nature Reserve located on Kepple Road with a new permanent sign.

The township office has received a picture with detailed description, location of the sign, Municipal Authority of Buffalo Township comment letter received 10/30/18, MABT does not have sewer and water service within the vicinity of this project. Bankson Engineers comment letter received 11/5/18. We are in receipt of Audubon Society Todd nature Reserve sign submission drawings. These plans are submitted on behalf of the applicant by Pashek + MTR, Ltd. We have been requested to review these documents for conformance with the applicable portions of the Township Zoning Ordinance, Ordinance No. 121. Our comment relative to our review are as follows: 410.2 The Audubon Society is proposing a sign structure containing two signs with a total aggregate area of 30.5 square feet. Per the Ordinance, parcels within the C-1 Zoning District are permitted to display 32 square feet of sign area. No individual sign may have an area larger than 16 square feet. No sign may be taller than 7 feet. As noted in Section 410 Signs of the Buffalo Township Zoning Ordinance. The area of the "Sign Panel" shown on sheet number SGN1, which contains the following text, "Todd Nature Preserve, Audubon Society of Western Pennsylvania", exceeds the maximum allowable area for the C-1 Zoning District, per the Ordinance. The Chimney feature of the structure exceeds the maximum height, per the Ordinance.

Brian Sheman and Renee Alchier with the Audubon Society were present. Brian Sheman discussed the proposed sign for the Todd Nature Reserve on Kepple Road. I was at the September meeting and had a picture of the proposed sign. This is something that we have at our Fox Chapel property and we have 3 of them at our Penn Township property. We also intend to put the same sign along Monroe Road at the Buffalo Creek Nature Center in the future with your approval. These signs are part of our branding. People recognize these as the Audubon signs. This sign also serves as habitat. A portion of this sign that is a tower is actually a Chimney Swift Tower. You have probably seen some of our Chimney Swift Towers along the trails in any of the County Parks. We have a hundred of them in the Allegheny County Parks. We are in the business of promoting and creating bird habitats. The sign is actually a functional bird habitat as well. It is basically a chimney for Chimney Swifts. We do realize that there are a couple areas where this sign exceeds your ordinances. I have submitted a letter requesting that you all will consider variances for us to move forward with this sign. Ray Smetana stated

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that he has read the comment letter. Ken Howard with Bankson Engineers stated our review with what they have submitted they are proposing an aggregate total area of 30.5 square feet. One portion is the picture of the bird and the other portion is the wording on the board. When you add those two together, they are at 30.5 square feet on one side. The Ordinance in C-1 Zoning says that they're permitted to display 32 square feet, but no individual sign may be larger than 16 square feet and no taller than 7 feet. I think we are splitting hairs here, do we count the sign as a total of 30.5 and say no, you can not build your sign that is your brand or do we give them a pass and go with what they want to do or do we count the actual area of each letter or the whole board that the letters are mounted on. Atty. Charlton asked if the bird is a separate sign? Brian Shema replied that the bird is our logo, it is not a separate sign, but it is attached to the chimney. Atty. Charlton stated that under a legal prospective you are falling under land development because you are in front of this board going through a two-step process. The way I would couch this and don't use the word variance because that takes it away from us and goes to a completely different board. So, it is technically not a variance. You can request a modification under Section 104 in the Ordinance and say we are not exceeding the total area, all it comes down to is one simple line that would make it 2 separate signs. We are asking that that one simple separation is now not required. You are not exceeding any area requirements of the Zoning Ordinance. It is under Section 104 and it tells you exactly what you need to say to get that modification. Technically you would have to bring that modification before us. Your letter can count as a defective modification but say all of your requirements are not met in that letter. So, they can send this on to the Supervisors with a recommendation of approval with an amended modification request which will be amended to the request and then it would have to be filed. Brian asked so you are saying that I can use the verbiage in Section 104 in my new letter? Atty. Charlton stated yes. You are not blocking any sightlines and you meet all of the setback requirements. Ray Smetana stated that you could put in your letter the function of the chimney. Brian stated the last time I went through this process we stated that it is actually not even a sign, it is a habitat. Atty. Charlton stated to send in before it gets there an amended modification request under Section 104. Ray Smetana asked if we can approve this with the requirement that they send in the modification request? Atty. Charlton stated you can send this on to the Supervisor's contingent upon submitting an amended modification request.

Motion to make a favorable recommendation of the Audubon Society Todd Nature Reserve, Sign contingent upon Bankson Engineers comment letter dated 11/5/18 with an amended modification request under Section 104 by Sue Gregory, seconded by Chris Foust. Motion carried. Un. Approval.

**REMARKS FROM THE FLOOR**

Kimberly Fish of 715 Sarver Road was in attendance with some subdivision questions regarding moving lines. She is looking at building a new house on her property and selling the house she lives in now. Kimberly stated that she spoken with Graff Surveying regarding what they are planning. Atty. Charlton stated that this would be considered a Lot Line Revision. Kimberly stated that she has 24 plus acres and is hoping to sell off approximately 2 1/4 acres. They are also looking at possibly subdividing the property in the future. Kimberly questioned if she would have to have both properties perk tested. The reply was yes. She asked how many times the property can be subdivided. Atty. Charlton stated that it depends on what your property is Zoned. Kimberly answered it is Zoned Agricultural. Grant

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McConnell stated that there are requirements as to how many lots the property can be divided into depending on the acreage. Sue Gregory stated it would be five lots. Atty. Charlton stated that you are taking this lot and reducing the acreage. Kimberly stated that all her questions were answered.

**ADJOURMENT** was on a motion of Grant McConnell, seconded by Chris Foust at 7:55 pm. Motion carried. Un. Approval.

**APPROVED:**

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**CHAIRMAN**

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**SECRETARY**