

**BUFFALO TOWNSHIP PLANNING COMMISSION – REGULAR MONTHLY MEETING VIA VIDEO
CONFERENCE – FEBRUARY 3, 2021**

The Regular Monthly Meeting of the Buffalo Township Planning Commission was held via Video Conference and called to order on February 3, 2021, at 7:00 p.m. by Chairman Grant McConnell. This Meeting is being recorded, if anyone is taping this Meeting, please state your name and address for the record.

Roll Call

Grant McConnell - Present
Chris Foust – Present
Sue Gregory – Present
Amy Trulik – Present
Tim Gottus – Absent - Emailed
Joe Charlton – Present
Ken Howard – Present
Rick Healey – Absent

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 January 6, 2021 Regular Monthly Meeting of the Buffalo Township Planning Commission, as recorded, was on motion of Sue Gregory, seconded by Chris Foust. Motion Carried. Un. Approval.

LAND DEVELOPMENT

**SPC REALTY – ARBY’S RESTAURANT - PRELIMINARY SITE/LOT LINE CONSOLIDATION PLAN –
704 SOUTH PIKE ROAD**

Removed from table. Liadis Engineering & Surveying, Inc. is submitting a proposal for SPC Realty’s redevelopment of the existing Citgo Gas Station property located at 704 South Pike Road (Route 356). The redevelopment of this site shall change the use of this site to an Arby’s Restaurant. This property is currently zoned as B-1 Business District. The use of this site for a restaurant is a permitted use under this zone, falling under the designation of “Eating/Drinking Places”. The site also falls under the A-2 Access Management Overlay Zoning District. This property is not very deep having only 155 feet from the road right of way line to the rear property line. Given a 100-foot front setback and a 20 feet rear setback, this results in having only 35 feet of depth within the building envelope. In a commercial area this depth is very restrictive. The Aqua Jet Car Wash building located adjacent and to the north of this property, is set back from the road right of way approximately 65 feet and the proposed Arby’s building is setback approximately 70 feet. The proposed setback for the Arby’s building exceeds the existing Access Management Overlay Zoning District, qualifies for the permitted allowance for a reduced setback for this site. We are aware of the proposed widening project of SR 356 and have had multiple

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conversations and exchanges of information with PennDOT on this matter. We are also aware there is widening of the right of way for SR 356 proposed. Again, based on conversations due to topographic differences PennDOT is currently anticipating all the anticipated right of way acquisition will be located on the east side of the road, opposite from this property. This site plan currently before the Board was also provided to Eric Buchan, the PennDOT Manager for the SR 356 project. Consolidation of Tax Parcels 040-1F05-2D30 and 040-1F05-2D31 into a single lot for proposed redevelopment of the existing Citgo Gas Station.

On a motion of Amy Trulik, seconded by Sue Gregory to remove the Proposed Arby's Restaurant Preliminary Site Plan & Lot Consolidation Plan from table. Motion Carried. Un. Approval.

The Township office is in receipt of the Site Plan/Lot Consolidation Application, the Site Plan/Lot Consolidation filing fee, Site/Lot Consolidation plans, Butler County Planning Commission Comments received 11/19/2020; BCPC did not have any comments on this plan, Municipal Authority Comments received 11/23/2020; Public water and sewage service currently exist to this property. The Developer is advised to review the Authority's specifications and Rules for Service at www.buffaloauthority.org or call the Authority office with questions, Bankson Engineer revised comments received 1/29/21; ZONING: This site is located within the B-1, Business District, as well as the A-2, Access Management Overlay. The proposed use (Eating/Drinking Place) is in accordance with the Permitted Uses of the B-1 Business District, per the Zoning Ordinance. Because the site location is within the A-2 Access Management Overlay, the Application must comply with the standards set forth within both zoning districts. ZONING: This site is located within the B-1, Business District, as well as the A-2, Access Management Overlay. The proposed use (Eating/Drinking Place) is in accordance with the Permitted Uses of the B-1 Business District, per the Zoning Ordinance. Because the site location is within the A-2 Access Management Overlay, the Application must comply with the standards set forth within both zoning districts. 603.4: ORIGINAL COMMENT (11-19-2020): It does not appear as if the proposed parking lot meets the requirements of Article 6 of the Zoning Ordinance. *APPLICANT'S RESPONSE: Section 603.4 applies to parking lots over 40,000 S.F. and do not apply to this site.* SUBSEQUENT COMMENT (12-30-2020): The Ordinance states that parking lots in excess of 40,000 square feet shall be considered a Conditional Use of the parcel. Smaller parking lots may be considered a Permitted Accessory Use but shall present evidence that all standards outlined within Section 603.4 are met. This comment still applies. Specifically, the Applicant should demonstrate where the fully dimensioned cross-access easement will be reserved and shall provide an agreement between neighboring properties for the utilization of the cross-access drive. *APPLICANT'S RESPONSE: The 24' wide cross access easement follows the drive aisle across the front of the property from the south to north property lines and is now shown on the subdivision plan. We are currently working on obtaining signed easement agreements with the neighbors and will provide once executed.* **CURRENT COMMENT (1-28-2021): Noted. We recommend the signed agreement be a contingency of any Township Approval.** SUBDIVISION/LAND DEVELOPMENT: 205/207/208: ORIGINAL COMMENT (12-30-2020): The Applicant is required to submit a Subdivision Plan Application which fully complies with all aspects of Sections 205, 207, 208, and 209 of the Subdivision and Land Development Ordinance. This project will require two independent procedural

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actions by the Township Planning Commission and Board of Supervisors; one for the Lot Consolidation (Subdivision Plan) and one for the Site Plan (Land Development). Each individual plan for recording (Subdivision Plan and Site Plan) shall possess all required signature blocks and statements and shall depict all proposed easements and site improvements. *APPLICANT'S RESPONSE: This has been submitted to the Township.* **CURRENT COMMENT (1-28-2021): The Applicant will also be required to record the Land Development Site Plan. To facilitate this recording, the signature blocks should be added to any Drawing being recorded. 306: Easements: The Applicant has provided a signed agreement which allows for the construction of stormwater management facilities, grading activities, etc. on the adjacent parcel owned by the South Pike Square Development. These easements shall be recorded with the Subdivision Plan and Site Plan. STORMWATER MANAGEMENT: 301.A.5:**

ORIGINAL COMMENT (11-19-2020): Water quality control calculations have not been provided. The Applicant must demonstrate that all water quality requirements have been met, including the Municipal Separate Storm Sewer (MS4) Pollution Reduction Plan Requirements. *APPLICANT'S RESPONSE: See accompanying revised SWM Narrative calculations section.* SUBSEQUENT COMMENT (12-30-2020): Status unchanged. Calculations which demonstrate that the Water Quality Management requirements of the Ordinance have not been provided. It appears as if a water quality device is proposed near the point of connection to the existing South Pike Square storm sewer system; however, no pollutant removal calculations or product-specific details have been provided. *APPLICANT'S RESPONSE: Two devices placed in series control water quality. In accordance with the DEP-BMP Manual, the infiltration sump within the primary facility provides an 85% reduction in TSS. The discharged water from the primary facility is conveyed to and flows through a Stormceptor device, which will remove 80% of the remaining 15% of the TSS, which equals an additional 12% resulting for a total reduction of 97% of TSS, which exceeds the required 95% total reduction required by the Ordinance.* **CURRENT COMMENT (1-28-2021): We concur with the Applicant's response. The Total Suspended Solids Removal information of the proposed water quality infrastructure should be included in the Stormwater Operation & Maintenance Agreement. Please provide the Standard DEP water quality calculation worksheets for the project site. Please also provide details on the "Stormceptor" device, most importantly, please provide evidence that the device can receive and treat the proposed runoff flowrate without causing an adverse hydraulic situation near the Cinema Way point of connection to the existing system.**

304.C.1: ORIGINAL COMMENT (11-19-2020): Volume control calculations have not been provided. The Applicant must demonstrate that all runoff volume control requirements have been met. *APPLICANT'S RESPONSE: See accompanying revised SWM Narrative calculations section.* SUBSEQUENT COMMENT (12-30-2020): Status unchanged. Calculations which demonstrate that the Volume Control requirements of the Ordinance have not been provided. *APPLICANT'S RESPONSE: Volume control calculations shown on plan sheet 6 provide 89 C.F. excess capacity.* **CURRENT COMMENT (1-28-2021): The current PCSM design features a 0.5-inch diameter orifice to be installed at el. 492.00 which is the bottom elevation of the storage facility. Permanent removal of the runoff volume will not be achieved. 501.B.3 The minimum horizontal distance between any structure and any stormwater facility shall be 25 feet.**

501.B.22.d.1: ORIGINAL COMMENT (11-19-2020): We recommend that the Applicant provide calculations which demonstrate that the existing and proposed storm sewers maintain adequate

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conveyance capacity to receive the proposed runoff flows. *APPLICANT'S RESPONSE: No calculations are provided since the flows from this site currently drain to the inlet we are connecting the proposed system to. If calculations of available capacity are still required, the township will need to furnish a copy of the stormwater plan associated with the South Pike plan approvals in order to determine the captured watershed areas and the projected flows utilized for development of the SWM plan and sewer capacities for the original South Pike project.* SUBSEQUENT COMMENT (12-30-2020): Please provide evidence that the flow contribution from the proposed project site can be conveyed by the existing storm sewer system.

APPLICANT'S RESPONSE: The peak flow exiting the detention system for the 100-year storm is 5.116 cfs. A 15" diameter n-12 pipe, laid at 1.5% will carry 5.76 cfs at a flow depth of 0.70 feet. **CURRENT COMMENT (1-28-2021): We concur that adequate conveyance capacity on the project site has been provided. Please also confirm that the existing South Pike Square Development storm sewers maintain the capacity to receive the proposed flows.**

1. ORIGINAL COMMENT (11-19-2020): We recommend that the Applicant submit for review the pre-development and post-construction drainage areas, runoff curve number calculations, and time of concentration calculations. It should be noted that the Applicant is proposing to use six (6) minutes as the time of concentration for both the pre- and post-development scenarios. The minimum time of concentration for any post-development watershed shall be five (5) minutes, per the Ordinance. We recommend the Applicant justify, with calculations, the use of a 6-minute time of concentration. It should also be noted that an Applicant is not permitted to use the five-minute minimum for the pre-development time of concentration. *APPLICANT'S RESPONSE:*

Please note: A five (5) minute time of concentration is the minimum stipulated for use for the calculations when using the rational equations, however a five (5) minute time of concentration cannot be applied when using TR55. The TR55 system is based on times of concentration in hours, not minutes. In accordance with TR55, Appendix F, on page F-1 of the book, showing the equations on which TR55 is based, it specifically states the minimum permissible time of concentration for use in the calculations is 0.10 hours or 6 minutes. SUBSEQUENT COMMENT (12-30-2020): Response noted. Should the Applicant desire to use the minimum time of concentration for this analysis, it should be 5 minutes, consistent with the requirements of the Ordinance. Additionally, pre- and post-construction drainage area displays which demonstrate the drainage basin, time of concentration flow path and point of interest have not been provided. *APPLICANT'S RESPONSE: The date requested is now shown on the SWM Plan, Sheet 6.*

CURRENT COMMENT (1-28-2021): Status unchanged. The time of concentration used in the analysis should be 5 minutes if the minimum is assumed. The pre-development ToC path indicates "bare" land cover, with a manning "n" of 0.05. The post-development condition suggests the manning "n" for lawns will be 0.24. This could/should be justified. Further, the SWM Plan indicates the drainage area is 3.30 acres, whereas the calculations indicate the drainage basin is 0.838 acres. Drainage area exhibits which show the conditions for analyses have not been provided. ORIGINAL COMMENT (12-30-2020):

The Orifice Plate Detail shows a 15-inch diameter discharge pipe at a slope of 11.30%, whereas the stormwater calculations show the 15-inch pipe being installed with a 18.00% slope. The drawings and/or calculations should be revised for consistency. Additionally, it is unclear how the drain pipe leaving the outlet control structure will be connected to the outlet control structure itself. *APPLICANT'S RESPONSE:*

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This discrepancy does not affect the routing calculations since the discharge is not controlled by limitations of water entering the pipe, but it has been corrected. **CURRENT COMMENT (1-28-2021): The drain pipe length indicated in the SWM Plan Drawing is 35.5 feet, whereas the drain pipe length shown in the SWM Report is 33 feet.** ORIGINAL COMMENT (12-30-2020): The Stormwater Details drawing indicates that the pipe storage chamber will be 30 inches in diameter. The General Development Plan indicates that the pipe will be 42 inches in diameter. The drawings and/or calculations should be revised for consistency. *APPLICANT'S RESPONSE: The Plan has been corrected to show 30" pipes.* **CURRENT COMMENT (1-28-2021): Status unchanged. The General Development Plan still indicates 42-inch diameter pipe will be installed, which is not consistent with the SWM Report.** ORIGINAL COMMENT (12-30-2020): The storm sewer segments between Inlets 1, 2, 3, 4, 5, 6 do not have a pipe diameter, grade, or material indicated. Also, additional detail should be provided for the storm sewer segment proposed for installation between the "Stormceptor" device and the point of connection to the existing storm sewer. *APPLICANT'S RESPONSE: A tabulation of the pipe runs has been added to the SWM plan, Sheet 6.* **CURRENT COMMENT (1-28-2021): The Storm Sewer Pipe Run Tabulation indicates the storage pipe will be 130-inches in diameter, which is not consistent with the SWM Report. Also, the characteristics of the segments labelled "OUTLET STR TO DET MH 1" and "DET MH 1 TO INLET 7" appear to be incorrect.** ORIGINAL COMMENT (12-30-2020): The Orifice Plate Detail does not show a width or a depth dimension for the proposed stone backfill around the stormwater pipe storage chamber. Dimensions shall be added, as necessary, to clearly convey and demonstrate how the stormwater infrastructure is to be installed. Additionally, it appears as if an inlet is proposed for installation immediately adjacent to the outlet control structure. This could be problematic in terms of stormwater runoff short-circuiting the storage system. We recommend that the configuration of the outlet control structure and adjacent inlet be clarified. *APPLICANT'S RESPONSE: A tabulation of the pipe runs has been added to the SWM plan, Sheet 6. The inlet you are referring to currently exists and shall be removed.* **CURRENT COMMENT (1-28-2021): If existing storm sewer infrastructure is to be removed as part of the site development, please add a note to the plan drawing to clarify that the existing storm sewers will be removed.** ORIGINAL COMMENT (12-30-2020): It appears as if the Stormwater Management Plan assumes infiltration will occur on the project site. We recommend that the Applicant justify this assumption by conducting infiltration testing in accordance with the PA DEP Stormwater Manual. *APPLICANT'S RESPONSE: Infiltration testing has been conducted and the results are contained within the report.* **CURRENT COMMENT (1-28-2021): The SWM Report indicates that on-site infiltration testing was performed, and the expected infiltration rate will be 0.125 in/hr. The infiltration test results shown in the Geotechnical Report for the site (conducted at Test Pit 2) indicate the infiltration rate will be 0.100 in/hr. The SWM calculations assume an infiltration rate of 0.130 in/hr. The infiltration rate used for the calculations should be consistent with field testing and the factors of safety recommended by the protocols outlined in Appendix C of the DEP PCSM Manual.** ORIGINAL COMMENT (12-30-2020): On Page 3 of the Stormwater Report, the Applicant indicates that 0.86 acres of impervious surface exist on the project site. On page 4 of the Stormwater Report, the calculation summary indicates that 0.536 acres of impervious surface exist on the project site. The impervious surface coverage should be represented consistently. *APPLICANT'S RESPONSE: I neglected to rewrite the*

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general project overview from the original iteration of the report. This has been corrected on the revised narrative. **CURRENT COMMENT (1-28-2021): Status unchanged. The SWM Report still indicates a pre-development and post-development impervious area of 0.86 acres. The General Development Drawing (Sheet 3) indicates the pre-development impervious coverage will be 0.536 acres and the post-development impervious coverage will be 0.6103 acres. Drawing 6 indicates the post-development impervious coverage will be 0.5798 acres. The Erosion & Sedimentation Control Plan Notes Drawing suggests a construction start date of “Early 2017”. This should be updated. The Volume Control Calculation Worksheet 4 suggests hydrologic soil group C/D soils for the pre-development condition and Group A soils for the post-development condition. Soil classification should be consistent between both conditions. GENERAL COMMENTS: 1. Any and all permits including, but not limited to, those shown below shall be obtained prior to Final Approval: a. Butler County Conservation District Approval of Soil Erosion and Sedimentation Control Plan. b. Act 537 Sanitary Sewage Facilities Planning Module – **We have received the Planning Module Exemption Mailer and would recommend that the Township sign where required and return to the Applicant for submission to PA DEP.** c. Township Grading Permit d. **Township Approval of all proposed signs.** E. PennDOT Highway Occupancy Permit f. Underground Storage Tank Removal Approval. We recommend that action on the Proposed Arby’s Restaurant Preliminary Site Plan & Lot Line Consolidation Plan be tabled at this time. The Applicant should make all necessary revisions to the Applications, then provide evidence of adequate resolution of all comments outlined above.**

Ken Howard stated that they have a review letter that is 6 pages long dated January 28th, and we received a package that was submitted to us yesterday from the developers Engineer. We briefly reviewed that information between yesterday afternoon and this morning. There are still several items that need to be addressed and I can go down the list of about ten things that we believe are still outstanding. Ken read through the letter outlined above and discussed the outstanding items. Ken stated that I know that the Engineer for the developer is asking to get a contingent approval tonight but we highly recommend that we table this again until we have all these details in hand with the reports and the documents that we need. They have accomplished quite a bit but they are not quite far enough along yet for our office to recommend an approval with contingencies. So, we are recommending that this be tabled again to give this developer another few weeks to get all his details and get it in writing and then we can do a final review and hopefully have everything spelled out correctly. This would require them to give us a time extension on this development review period because it has been tabled twice already, at the November and December meetings. Atty. Charlton stated that is correct, it would expire at the next Supervisors meeting which is next Wednesday. Dave Kalina with Liadis Engineering was in attendance and stated that he did add the information into the latest version of the Stormwater Plan and I discussed this all with TJ. Ken stated that these comments are from what you emailed to us yesterday, Dave. Ken stated that TJ is in attendance and he can speak on this item since you spoke with him. Dave Kalina stated then if that is the case then I put the wrong plan in the email. I apparently sent you the wrong version and I will resend it to you. Is the date on the front from February 1st? Ken stated that I will look at it. TJ stated that we did receive the water quality worksheets that we requested from you and thank you for

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providing those. We did however have a couple additional requests regarding water quality specific to the storm sceptor device that is purposed for installation there. So, if you could send those for review that would be great. Dave stated that he put the information 5 or 6 pages in of the report. Close to the front before I get into the calculations. I went through worksheet 4, 12 and 13. TJ stated that those were the pages I was referencing a moment ago. In addition to providing those worksheets we would see product specific details for a water treatment devise like the storm sceptor that you are purposing and explained what type of information that they are looking for. Dave Kalina stated that he did put information in there regarding the storm sceptor. I may have mistakenly not included the contact brochure that has all of that stuff laid out in it. So, I may not have attached that. Ken asked about the down stream capacities of those pipes where you are connecting? We have asked you to give us some capacity calculations to make sure the pipes can handle the water that will be put into them. We have not seen any of them. I know that there are as-builts available of the South Pike Square, the same people that signed the easements for you. Dave Kalina answered that he was not aware of Bankson asking for downstream pipe calc's. I possibly misread the comment so I will endeavor to do that and the rest of the stuff. If there is a capacity issue then it has been there all along. Ken stated that we have been asking for this information all along. If you are having trouble getting a hold of those As-builts, let me know. We may even have them on file. Dave replied that he has no problem going back through the numbers again but the As-built is a monumental task and I don't know precisely what they would have used for watershed calculations to even start on the thing in order to reinvent the wheel. Ken stated that our main concern if you look at those 4 or 5 legs of pipe that you are tying into downstream and make sure that pipe is adequate. So, if you have trouble getting the As-Builts from Eric Smith let me know and we can try to help you get those cleared up just to prove and then we would have something in writing that we know for sure as soon as it rains hard that you won't have water running out onto Cinema Way. Mr. Kalina replied, understood. Ken asked if he had heard anything in regard to the Highway Occupancy Permit? Dave replied it is submitted and I checked this morning and it is still under review. Ken replied, okay. So, there is a little bit of work there and you had indicated too that you were working through the approval process for the gasoline tank removal which the DEP processes. Mr. Milo Ritton was on the phone. What is your schedule with removal of the tanks and having DEP's blessing on you pulling the tanks out of the ground and everything? Dave stated that it is going to be a unified demolition package. I know that Mr. Ritton is planning on applying for a demolition permit sometime this month. That would be a part of the demolition permit. Ken replied, okay. Thank you. Dave stated that as far as the clauses, I wasn't sure what clauses needed to be put on what drawings. Ken replied, the Ordinance is pretty clear that Land Development is the same process as a Subdivision Plan whereby those Land Development drawings, what ever one you want to designate. I think you have a couple of plans marked "General Development Plan". We want to see something with the Land Development Plan that shows the parcel, proposed building, parking lot, cross-connection easement and that drawing would be called the "Site Plan or Land Development" and that is the one that should have the clauses or coversheet, or title sheet that can be recorded. Dave asked if he could just add the stormwater management plan sheet and the site development plan sheet to that subdivision. Ken answered that you could do that with drawing one, two

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and three with signatures all on one sheet. Dave replied that the subdivision drawing itself would be the signature page with the other pages that you will want recorded. Ken stated that the Land Development drawings should be recorded. There are typically enough clauses on the Stormwater Plan that obligate that land owner to future ownership and maintenance of those Stormwater Facilities. So, typically those clauses are relative to just the Stormwater Plan. You have merged your drawings together; everything shows up on one sheet. You could set up a series of three drawings that would get recorded. One page could show all the signatures blocks with the Lot Line Consolidation shown, the second page could show the Land Development and the third page could be all the Stormwater. If you want to do it that way. That is really at your discretion. Dave asked if he and Ken could have a discussion tomorrow so that I can make sure I get the proper clauses on the correct drawings and I can get that work done. I just want to make sure that it is signed off on correctly to satisfy the Township. Ken asked Dave to give him a call in the morning and we can go over that. Dave replied then we can have a set of plans in front of us and put the clauses on whatever sheets that you want. Ken replied, great. Grant asked Atty. Charlton how to handle this. Can we table this contingent upon receiving a letter? Atty. Charlton replied that in the past we would make a motion to send it on to the Supervisors with a recommendation of denial however an alternative motion if we receive an Extension letter by February 5th requesting an extension of 45 days then it will then be tabled on our Agenda. I can word that for you and then one of you can make the motion as stated. Atty. Charlton asked Dave Kalina if he is able to get a letter in by February 5th and Dave replied that he would email it to Rhonda and Atty. Charlton tomorrow, February 4th. Atty. Charlton stated that the Planning Commission makes motion that this be sent on to the Supervisors with recommendation of denial based upon the deficiencies noted by Bankson Engineering with the alternative being the Planning Commission moves if a written request for an extension of 45 days is received prior to February 5th, 2021 then this matter will be tabled until the next Planning Commission Meeting scheduled for March 3rd, 2021.

On a motion of Chris Foust, seconded by Sue Gregory to make the motion as stated by Atty. Charlton. Motion Carried. Un. Approval.

J. LEVRI PLAN – 115 BAYBERRY DRIVE - LOT LINE REVISION

Graff Surveying is submitting a proposal for James & Margaret Levri of 115 Bayberry Drive. They are proposing a Lot Line Revision to convey a .198-acre tract from Lot 63 to Lot 62.

The township office has received the Lot Line Application, filing fee, Plans, Butler County Planning Commission comment letter received 1/21/2021; BCPC did not have any comments on this plan, the Municipal Authority of Buffalo Township comment letter received 1/22/2021; Public water and sewage is available to both Lots 62 and 63 of the Woodbury Plan and/or J. Levri Plan, Bankson Engineers comment letter received 1/15/2021; We recommend that Approval of the subject Lot Line Revision Plan be granted at this time.

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Ken Howard with Bankson Engineers stated that we recommend approval of the Lot Line Revision be granted at this time. What Stan Graff has provided is acceptable.

On a motion of Amy Trulik, seconded by Chris Foust to favorably recommend the J. Levri Plan – Lot Line Revision. Motion Carried. Un. Approval.

REMARKS FROM THE FLOOR

Jason Bottles, co-owner with Mark Bagdon of Bagdon/Bottles Design & Construction was in attendance regarding property located at 218 Ekastown Road. The property is the former L & S Kitchens which has been closed for many years. Mr. Bottles stated that he has a current sales agreement with the owner and is in the process of securing financing. The business is in the R-2 Residential Zoning District and before he purchases it he wants to make sure they can use the building for a business prior to purchase. Mr. Bottles stated that the old L & S Kitchen was used as an office, tool storage and woodworking. Mr. Bottles stated that this is exactly what he is planning on doing with the building. Atty. Charlton stated that this falls under a non-conforming use, Section 403 of the Zoning Ordinance. If they are going to continue using the building in the same manner there should not be an issue. Rick Healey can give him a Certificate. Amy Trulik spoke. Grant McConnell asked about the parking lot size? Mr. Bottles stated that the parking lot would only be used for their construction trucks and most of the employees take theirs home at night. Atty. Charlton stated that using it identically as in the past, residential construction, light commercial would be fine and suggested that he go to the next Board of Supervisors Meeting to discuss with the Supervisors and work with Rick Healey on getting the Certificate that is needed.

ADJOURNMENT

There being no further business, it was on motion of Sue Gregory, seconded by Chris Foust, to adjourn this Meeting at 7:35 pm. Motion Carried. Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY