

BUFFALO TOWNSHIP PLANNING COMMISSION

REGULAR MONTHLY MEETING

MARCH 7, 2018

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

The following members were present at this evening's meeting: Ray Smetana, Chris Foust, Sue Gregory, Tim Gottus, Amy Trulik, Atty. Joe Charlton, Ken Howard, and Roger Kelly. Absent were Grant McConnell, who emailed, and Donna Davis.

APPROVAL OF THE MINUTES

On motion of Chris Foust, seconded by Tim Gottus, to approve the minutes of the February 7, 2018, Regular Monthly Meeting of the Buffalo Township Planning Commission as recorded. Motion Carried. Un. Approval.

M. KELLEY PLAN NO. 1 – KELLEY DRIVE – SUBDIVISION

M. Kelley is proposing a minor subdivision of Tax Parcel 040-1F92-A12, an 89+ acre parcel zoned "R-2". Proposed Lot #1 will be a .6+- acre parcel off a cul-de-sac extension of Sunny Lane. The cul-de-sac will be dedicated to the township for public use of access utilities and drainage. The proposed lot has access to existing public sewer and public water.

The township office has received the Subdivision Plan, Subdivision Filing Fee, Municipal Authority comments (letter received on 3/1/18), Twp. Engineer comments (letter received 3/7/18), and Butler County Planning Commission comments (BCPC did not have any comments on this Plan as per letter received 2/2718).

Ken Howard stated the subject property is located in the "R-2" General Residential District. Said district yard standards shall be denoted on the plan. Table 206B of the "R-2" General Residential District states that the minimum rear yard depth shall be 20 feet. The subject plan shows a 25 feet rear yard setback along Lot Number 1. Please insure that the right-of-way, of adequate width, exists along the properties of now or formerly F. Borrellia and T. Bollinger to be able to extend Sunny Lane to the proposed cul-de-sac. If it is the intention of the applicant to solely dedicate the cul-de-sac right of way property to the Township then the Township will have to assume the responsibility to design and construct the Sunny Lane extension and cul-de-sac, including required drainage. Are the Township Supervisors amendable to assume the said responsibilities? Where will Lot Number 1 be served by water and sanitary sewer? It appears that an existing sanitary sewer line runs adjacent to the subject property along the property of now or formerly T. Bollinger. Existing sanitary sewer easement in the said area shall be labeled on the Plan. The subject Plan denotes an electric line to be relocated but provides no details showing said relocation. It appears that the said electric line would need to be

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relocated in order to construct future lots. When is electric line to be relocated? The subject plan shows several utility and drainage easements through Amended Parcel A-R, along possible future lot lines. Drainage easements shall be dedicated through Amended Parcel A-R all the way to an existing watercourse. Locations of said drainage easements may need to be coordinated with the Township. Wetlands may have existed at the subject site in the past. It appears that a drainage pipe has been installed and said wetlands shall be removed from the Plan. A drainage easement may be required for the said drainage pipe.

Stan Graff stated the right-of-way extends to the property line of Sunny Lane. The proposed cul-de-sac would be an extension of that 33 feet. It is our understanding that the adoption of the dedicated cul-de-sac was addressed to the township previously and that is ongoing. We are just proposing Lot 1 at this point; but we are trying to think ahead a little as to needing easements for the extension of the water that is running down Sunny Lane. We have options for the drainage. Mike is the present owner; his sister, Tammy, is here this evening if you have any questions for Lot #1. The sanitary sewer exists already along the southerly boundary of the Kelley Farm. We have water out along Chesterfield Drive; we have an Agreement for an existing 10 foot utility easement and a 20 foot sanitary sewer easement running through Chesterfield Drive. Public water is there and available; there is some comment from the Authority about wanting to extend the water line up Sunny Lane at this point, too. We have two options for water. The electric line that is coming off the public service is an existing electric line. The Kelley Farm and Mike's house on existing Parcel E; we could possibly want to move that line if they proceed with the possible subdivision of more lots off the cul-de-sac. That is too far ahead of our thoughts right now. That may or may not happen at this time. There were some wetlands that were delineated whenever they put in Chesterfield Drive. They were all caused by the runoff coming down Sunny Lane. It was a manmade situation that had been rectified. We felt we needed to address that because it was shown on a previous plan. We will do whatever you suggest we do.

Ray Smetana stated I can see why he doesn't have some of it here because it is going to be up to the township to design. Ken Howard agreed; I know we had discussions at the previous meetings with the landowners and Supervisors about this. We will need the guidance from the Board as to how to proceed. How soon does this Plan need to be recorded? How soon do they want to build the house? Is there some time frame that we need to work within because you are currently laying out a lot that doesn't front on a public street? That is part of our Ordinance that requires these lots to have frontage on a public street. We need the Board to make some decisions as how we implement construction of this portion of Sunny Lane Extension so this will be fronting on a public street. Stan Graff asked a public street that has to be built or a public street that has to be dedicated and accepted? The intention of the owner is to build as soon as we can. The property owner's sister commented. Sunny Lane was

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discussed. Ray Smetana asked has that been dedicated to the township? Atty. Charlton answered no; it needs built first. Ken Howard stated typically a Developer's Agreement would need entered into. Normally it would be spelled out in a Developer's Agreement. Atty. Charlton stated, if everything meets your approval, you could pass this on to the Supervisors with a recommendation for approval contingent on entering into a Developer's Agreement in order to make provisions for construction of the cart way and cul-de-sac and on addressing the items in the Township Engineer's letter dated 3/7/18.

On motion of Amy Trulik, seconded by Chris Foust, to make a favorable recommendation of the M. Kelley Subdivision Plan on Kelley Drive contingent on entering into a Developer's Agreement in order to make provisions for construction of the cart way and cul-de-sac and on addressing the items in the Township Engineer's Letter dated 3/7/18. Motion Carried. Un. Approval.

MERITAGE GROUP – REVISING THE VILLAGE OF SARVER'S MILL MASTER PLAN – DISCUSSION ONLY

Bob Bednar, Meritage Group, stated we have a revision to the Master Plan for Sarver's Mill. The reason why we are proposing a change to the Master Plan was due to the soils and the geotechnical findings that we found after we constructed Phase 3B. We came in and did 22 test pits on the remaining property. We excavated test pits to see where the bottom of the clay was and that was the issue. Brad McCutcheon, KU Resources, explained what we started seeing signs that the soil was getting wet and soft and working with Ken we did a major effort of stabilizing the base for this roadway. That enlightened us that this whole area which looks like a big field, is all filled with blue clay which is from 15 to 17 feet deep. It is super soft; not around the perimeter just in the center of this area to the point where it is not economical for the Developers to come in here and try to build houses. Bob Bednar explained the proposed revised Master Plan. Under the Master Plan that I brought in today the total number of lots is 218; the difference is Phase 5 has 12 lots and was originally 28 lots. The area that we are trying to keep away from is the area between Phase 5 and Phase 4. We are going to designate as common open space and the Homeowners Association will take over that parcel of ground. There will be a connection between the north cul-de-sac and the south cul-de-sac to get to that open space. Ray Smetana asked so they could have a park or something there? Bob Bednar answered they could. Ken Howard stated we met with them last week to review this and to discuss the situation. We support what they are trying to do and their revised plan. The percentage of green space increases. Bob Bednar stated that since we brought Ryan Homes into the Development the lots that are constructed are sold out. That is why we wanted to come in for discussion so that when we make the presentation everyone will understand what we want to do and how we want to do it. Ken Howard stated they have actually received approval for Phase 4 and recorded the Plan; they are going to have to amend that Plan and change their footprint and then re-subdivide. Tonight is for information only. The Plan would be submitted at next month's meeting. Bob Bednar stated we would like to come in and present both the

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revision to the Master Plan and then the actual re-subdivision of Phase 4. Ray Smetana stated I don't see a problem at all. Bob Bednar explained the Rain Garden. Ray Smetana stated this was presented before we had the fee in lieu of; I don't think that would come in to the conversation at all. Ken Howard explained that the original owners have entered into an Agreement and have amended the funds per lot, per unit when they apply for building permits. That will need to be amended again so that the total amount the original Developer agreed to would work out so the township will still receive the same amount of money.

REMARKS FROM THE FLOOR

A resident from Crestwood Drive inquired about the possibility of having a home based bakery. There would be no signage on the front. Parking on the street wouldn't be an issue. The property is zoned "R-2". Ray Smetana stated that would be a Conditional Use which would require a Public Hearing. Atty. Charlton went over the restrictions in the Ordinance. You will want to get a Conditional Use Application.

A person attending the meeting inquired about the Varos Landfill Property on Ekastown Road. I own a tree service in Natrona Heights and am looking at moving it into that property. I know that approx. 30 acres of that is landfill. What is the responsibility of the owner of the property if there is leakage and potential hazards? Atty. Charlton answered that is a DEP question. The person asked are there any Ordinances about building anything on top of a landfill or in close proximity of the landfill? Atty. Charlton answered I am not aware of any. Roger Kelly asked what kind of building? The person answered primarily storage. Ken Howard stated the property is zoned "A-1"; you will need to comply with the Ordinance for "A-1". The person asked would "A-1" house truck terminals? Atty. Charlton answered truck terminals have a specific definition. Ken Howard commented on the conditional uses under "A-1". Atty. Charlton stated there is no outdoor storage.

ADJOURNMENT

There being no further business, it was on motion of Chris Foust, seconded by Sue Gregory, to adjourn this meeting. Motion Carried. Un. Approval. Adjournment at 8:10 p.m.

APPROVED:

CHAIRMAN

SECRETARY