

**BUFFALO TOWNSHIP PLANNING COMMISSION – REGULAR MONTHLY MEETING VIA VIDEO
CONFERENCE APRIL 7, 2021**

The Regular Monthly Meeting of the Buffalo Township Planning Commission was held via Video Conference and called to order on April 7, 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 – Absent (emailed)
Tim Gottus – Present
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 March 3, 2021 Regular Monthly Meeting of the Buffalo Township Planning Commission, as recorded, was on motion of Chris Foust, seconded by Tim Gottus. Motion Carried. Un. Approval.

LAND DEVELOPMENT

AMENDMENT #6 TO ZONING ORDINANCE #135

Weaver Homes is purposing a zoning change to 22.7 acres of land owned by The John M. Allen Jr. Family Trust, Plan #2 Revision of Lot 2. The property is located along Route 356 approximately 1,800 feet south of the intersection of Route 228 (Sarver Road) and Route 356 (South Pike Road). This Deed Book Recording & Tax Assessment Reference is found in Plan Book 368 on Page 17 and it is part of Parcel 040-1F77-8B. The present zoning is split between R-1 and B-1. The 22.7-acre parcel contains approximately 17 acres zoned B-1 and 5.7 acres zoned R-1. Weaver Homes is requesting to rezone the R-1 portion to B-1 matching the property line as created by the subdivision of parent tract. The purposed use of the property would be Multi-Family Housing permitted as a Conditional Use in the B-1 District.

The Township Office has received the Petition for the Amendment for Zoning, the filing fee, Map showing location of property, List of residents living withing 300 feet of property, Butler County Planning Commission Comment letter received 3/19/21; BCPC had no comments on this request, Municipal Authority Comment letter received 3/23/21; Public water and sewage exist within the vicinity of both properties. If approved with the intent to construct multi-family housing, the Developer would need to

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submit water and sewer construction plans to the Authority for review and approval, Bankson Engineer Comment letter received 3/29/21; The property under consideration is 22.7 acres and currently maintains split zoning. Approximately 17 acres are zoned B-1, Business District, while the remaining 5.7 acres are zoned R-1, Single Family Residential. The Petitioner desires to have the 5.7 acres which are currently zoned R-1 reclassified to B-1, to accommodate a Multiple Family Dwelling Use. The B-1 Business District permits Multiple Family Dwellings as a Conditional Use. It should be noted that the Petitioner is not the parcel owner. We would recommend that the Petitioner provide evidence of its proprietary interest to amend the zoning. The R-1 Single-Family Residential District abuts the subject property to the south and east. The property on the opposite side of South Pike Road to the north is currently zoned B-2 and R-1. The B-1 Business District abuts the subject property to the west. As such, it does not appear as if the proposed zoning change would constitute a spot zoning. The proposed Multiple Family Dwelling Use is consistent with the present uses of the subject property and the immediately surrounding area. It should be noted that the subject parcel is also located within the A-2 Access Management Overlay Zone. If the zoning change is granted, the Applicant shall comply with all applicable requirements of the Zoning Ordinance for the B-1 Business District as well as the A-2 Access Management Overlay.

Ken Howard with Bankson Engineers read the comments from the review letter and stated that Brett Schultz with Weaver Homes Master Builders has indicated that he has a purchase agreement contract in effect for the purchase of the tract of land that is owned by the Allen family. Ken stated that basically, this requested change of zoning is to make all of this 1 tract B-1 Zoning. It is at this time a 22.7-acre tract of land with split zoning. Atty. Charlton stated there was a line created a while back for the Business Corridor along Route 356 so there is no legal impediment or spot zoning. Ken Howard stated that it was an arbitrary line along Rout 356 to keep B-1 Zoning frontage along South Pike Road (State Route 356).

On a motion of Chris Foust, seconded by Tim Gottus to favorably recommend Amendment #6 to Zoning Ordinance #135 on to the Board of Supervisors. Motion Carried. Un. Approval.

WEAVER HOMES CONDITIONAL USE PETITION

Weaver Homes is purposing a Multi-Family Housing Plan to be located on 22.7 acres of property belonging to John M. Allen Jr. Family Trust, Plan #2 Revision of Lot 2 (Tax Parcel #040-1F77-8B) which is located along Route 356 approximately 1800 feet south of the Route 228 Intersection (Sarver Road) and Route 356 (S. Pike Road) and 7.17 acres of property owned by Gary L. Risch Sr. located at 114 S. Pike Road, Sarver (Tax Parcel #040-1F77-7A) the said properties are adjoining one another. Zoning Classification of the property belonging to John M. Allen Jr. Family Trust is B-1 and R-1, pending Zoning Amendment Petition for portion Zoned R-1. The present use of the property belonging to Gary L. Risch, Sr. is Zoned B-1 Business District. The purposed use of the properties will be a Multi-Family Housing Development as a permitted Conditional Use in the B-1 Business District.

The Township Office has received the Petition for Conditional Use, the filing fee, Map showing location of properties, List of property owners within 300 feet of properties, Butler County Planning Commission comment letter received 3/19/21; BCPC has no comments on this request, , Municipal

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Authority Comment letter received 3/23/21; Public water and sewage exist within the vicinity of both properties. If approved with the intent to construct multi-family housing, the Developer would need to submit water and sewer construction plans to the Authority for review and approval, Bankson Engineer Comment letter received 3/29/21; The proposed site is currently the subject of a Zoning Petition Request, also submitted by Weaver Master Builders, which would establish the entirety of the parcel within the B-1 Business District. The site also exists within the A-2 Access Management Overlay. It should be noted that Weaver Master Builders does not own either parcel; we would recommend that the Applicant provide evidence of proprietary interest to obtain Conditional Use Approval. Multiple Family Dwellings is a Conditional Use of the B-1 Business District. The Applicant is proposing to erect twenty-nine (29) total structures: twenty-six (26) “quad” structures and two (2) “duplexes”, for a total of 108 dwelling units. The development would also include one (1) clubhouse. It appears as if the proposed Conditional Use would be consistent with the present uses of the immediately surrounding area. Our office would recommend that Conditional Use Approval may be granted at this time

Ken Howard with Bankson Engineers read the comments from the review letter. The Conditional Use covers both the Allen and Risch properties. The property is currently Zoned B-1 and R-1. The R-1 portion of the Allen property is currently subject to a rezoning request by Weaver Master Builders. Brett Schultz clarified that Weaver Homes has entered into an Agreement of Sale and Purchase of Real Estate with Mr. Allen representing the trust and as such may make application for the Conditional Use Approval. Mr. Risch, on behalf of himself, has made by same application request for approval of the multi-family housing on his property, which is intended to be purchased and developed by Weaver Homes. Ken Howard stated that this will be a similar plan as the Heritage Crossing plan. Brett Schultz spoke regarding the Allen’s plan that it had 124 Townhouses which was less than the original plan. The Weaver Homes proposal will have 104 units/patio homes plus a Clubhouse with a pool and 2 Duplexes. Ken Howard stated that this will have fewer units than originally proposed by Steven Victor. Grant McConnell asked how this would impact the area. Ken Howard replied that this is very consistent with what the original PRD was supposed to be except there will be less buildings. This will be a good fit for the contour of the land and it will make a nice development, very consistent with what was presented with the Preliminary PRD.

On a motion of , seconded by to favorably recommend Weaver Homes Conditional Use on to the Board of Supervisors. Motion Carried. Un. Approval.

REMARKS FROM THE FLOOR

Amanda Peterson with PennEnergy Resources was in attendance to discuss a purposed Conditional Use Application that will be submitted for the May 5, 2021 Planning Commission Meeting. The Well Site will be located at 751 Ekastown Road. It will be on property belonging to the Boustead Family. It is located across from Roenigk’s Pond. The property is located in A-1 Zoning as well as the A-2 Overlay District and will require a Conditional Use Hearing. Electronic and Hard copies will be submitted to the Township and Bankson Engineers 10 Business days prior to the Planning Commission Meeting.

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Grant McConnell, Chairman of the Planning Commission spoke regarding the passing of Roger Kelly. Roger was the former Zoning Officer for Buffalo Township. He was the Zoning Officer for 37 or 38 years. He was an asset to Buffalo Township. He was a wonderful, caring and knowledgeable man and will be deeply missed. He continued to help even after he retired from the Township. Helping anyone that had questions regarding Zoning. Atty. Charlton stated that it was very humbling as an Attorney to approach a man with that much knowledge of zoning codes and the zoning laws. He was truly a remarkable individual. Grant stated that he was one of the calmest guys in the room. Buffalo Township was very fortunate to have such an amazing man as our Zoning Officer for so many years.

ADJOURNMENT

There being no further business, it was on motion of Chris Foust, seconded by Tim Gottus, to adjourn this Meeting at 7:25 pm. Motion Carried. Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY