

**BUFFALO TWP. PLANNING COMMISSION**

**REGULAR MONTHLY MEETING**

**MAY 3, 2017**

The Regular Monthly Meeting of the Buffalo Township Planning Commission was called to order on Wednesday, May 3, 2017, at 7:30 p.m. in the Buffalo 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, Grant McConnell, Chris Foust, John Zurisko, Amy Trulik, Attorney Joe Charlton, Ken Howard, and Roger Kelly. Absent were Dave Koedel who emailed and Donna Davis.

**APPROVAL OF THE MINUTES**

On motion of Grant McConnell, seconded by John Zurisko, to approve the minutes of the April 5, 2017, Regular Monthly Meeting of the Planning Commission as recorded. Motion Carried. Un.  
Approval.

**RICK GROSSMAN, PLANNER**

Rick Grossman stated I am a Planning Consultant. I have worked with the township on and off for about 12 or 13 years now. John Haven asked me to come down and speak to you about some potential Ordinance updates. I am not sure what types of issues you are looking at. Ray Smetana stated I don't have a list of any changes. John Haven stated he will be having ongoing workshops with the Planning Commission. Rick Grossman asked are you looking primarily at updating the Zoning and Subdivision Ordinances? John Haven answered we would like to update our Nuisance Ordinance, the Stormwater Ordinance. Rick Grossman stated since you are MS4 now you would be looking at updating the County Model Stormwater Ordinance. John Haven stated we did ours before the County. Ray Smetana stated when we get into that Ordinance you will be working with Ken Howard to fit things together. Rick Grossman stated absolutely. When it comes to the calculations I would refer to Ken or Tom from our firm. There aren't a lot of standards for nuisance issues in your Zoning Ordinance. I don't like to put them in zoning because the civil enforcement is so cumbersome. You have to start with a notice of violation that is appealable. There isn't a right to a nuisance; you have a right to certain uses for your property. I would like to know if there are particular concerns. John Haven stated our current Ordinance doesn't have teeth. Ray Smetana stated Larry Lutz and Joe Charlton will need to be involved. Citizens are more than welcome to submit things that they would like to see changed. If it is possible, we can work those in. Rick Grossman asked are you still happy with the Subdivision and Land Development Ordinance and the Zoning Ordinance? Ray Smetana answered basically yes. Atty. Charlton stated I have notes all through my Zoning Ordinance; I will go through it. Ray Smetana stated there are some tweaks. Atty. Charlton stated Roger and I brought up one problem is the 100' setback

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for commercial property. Rick Grossman stated we talked about that four years ago and you let that stand. Atty. Charlton stated you let them move up to where the existing line is. Ken Howard commented on the updates that are needed in the Stormwater Ordinance. Rick Grossman asked are the Nuisance Ordinances available on the Township Website? He was told they are hard copies. John Haven stated I have copies from other townships. Rick Grossman asked if the Planning Commission would like to hold a work session before the next meeting? Ray Smetana answered yes, starting at 6:30. We will start next month. Rick Grossman stated I will send a letter confirming this meeting and about the hourly rate that will be charged. Several residents in attendance had questions about the process and about submitting information as to suggestions for changes.

**HARROCKS & LAUBE – LOT LINE REVISION – TRUTH TRAIL**

John Harrocks and Melissa Laube are proposing a lot line revision on their properties located on Truth Trail. They are requesting that the lot line be the center of the existing creek. Proposed Lot #1 will be a new total of 1.22 acres and has an existing dwelling. Proposed Lot #2 will be a new total of 2.86 acres and also has a dwelling.

The township office has received the Filing Fee, Copy of Plan, Butler County Planning Commission comments (BCPC notes that this lot line revision does not agree with the following Buffalo Township SALDO Section 305.2: Side lines of lots shall be approximately at right angles to straight streets and on radial lines on curved streets wherever feasible. Pointed or very irregular lots shall be avoided unless such variations shall improve the overall neighborhood design. BCPC did not have any other comments on this Plan as per letter received 4/21/17), Municipal Authority comments (There is public water and sewer service within the vicinity of both properties; however, service is only furnished to 105 Truth Trail. The distance for a mandatory tap is exceeded for 120 Truth Trail; therefore, this customer is not required to tap in as per letter received via email on 5/1/17), and Twp. Engineer's comments (see letter received 5/3/17).

Ken Howard stated this is a lot line revision. This is not creating any new building parcels. It is an irregular lot line as the County noted; it is following the center of the creek. This Plan can be approved as presented provided that they add the following items: A north arrow shall be shown on the Vicinity Map. The Notary Acknowledgements for Owners Adoptions are listed as Allegheny County. A drainage right-of-way (minimum 15' wide) shall be shown on the Plan for the existing creek. John Harrocks explained the lot line revision. Ray Smetana stated the lots are existing, non-conforming.

On motion of Grant McConnell, seconded by Chris Foust, to make a favorable recommendation to the Board of Supervisors contingent on complying with the items in Bankson Engineer's review letter received on 5/3/17. Motion Carried. Un. Approval.

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**P. E. GRAHAM – LOT LINE REVISION – FLEMING ROAD**

P.E. Graham is proposing a Lot Line Revision of Parcel 1F79-1D which is an existing 2 acre parcel with 4 existing single family dwellings. This Plan proposes 4 separate lots of ½ acre. Each dwelling has its own septic system. Present zoning require these to be designated as non-conforming lots.

The township office has received the Filing Fee, Plan, Municipal Authority comments (There is no public water or sewer within the vicinity of this property as per letter received via email on 5/1/17), and Twp. Engineer's comments (see letter received on 5/3/17).

Ken Howard stated we offer the following comments: The subject parcel is an existing non-conforming use, containing four dwellings on one parcel. The four proposed lots will be non-conforming, not meeting the minimum lot area (80,000 S.F.) or 100' setback as per "A-2" Access Overlay District. This will continue to be nonconforming.

On motion of Amy Trulik, seconded by Grant McConnell, to make a favorable recommendation to the Board of Supervisors. Motion Carried. Un. Approval.

**OBRINGER – LOT LINE REVISION – BEAR CREEK ROAD**

Nicholaus and Laura Obringer are proposing a Lot Line Revision between the two properties located at 278 and 282 Bear Creek Road. Both properties have existing dwellings. Proposed Lot No. 1 will be a new total of 1.08 acres and Proposed Lot No. 2 will be a new total of .81 acre.

The township office has received Copy of Plan, Filing Fee, Municipal Authority comments (There is public water and sewer service, which is furnished to both of these properties as per letter received via email on 5/1/17), and Twp. Engineer's comments (see letter received on 5/3/17).

Ken Howard stated Lot No. 1 is an existing, non-conforming lot, not meeting the minimum lot area (80,000 S.F.). The subject Lot Line Revision will not remedy the non-conforming area. Lot No. 2 is an existing, non-conforming lot, not meeting the minimum lot area (80,000 S.F.) or 50' front yard setback. The subject Lot Line Revision will not remedy these non-conforming conditions. It appears that they are more centrally locating the dividing line between the two homes with the Lot Line Revision. We recommend that you could approve this as presented. Nicholaus Obringer stated I would like to get more frontage for 278 Bear Creek Road. Stan Graff stated I have concerns about accessing the adjacent property in the rear. The property in the back is landlocked. Nicholaus Obringer stated I own the property in the back. The right of way could go through my property. Atty. Charlton stated it is landlocked now. Laura Obringer stated that property goes with 278 Bear Creek Road. The Planning

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Commission suggested options to the Obringers. The Obringers decided that they would like to leave it as it is.

On motion of Grant McConnell, seconded by John Zurisko, to make a favorable recommendation to the Board of Supervisors. Motion Carried. Un. Approval.

**ST. PAUL'S EVANGELICAL LUTHERAN CHURCH – SITE PLAN – SARVER ROAD**

On motion of Grant McConnell, seconded by Chris Foust, to remove the St. Paul's Evangelical Lutheran Church's Site Plan from the table of April 5, 2017. Motion Carried. Un. Approval.

St. Paul's Evangelical Lutheran Church is proposing a Site Plan for a new Sanctuary. The new structure is planned to be attached to the Social Hall. The property contains 5.99+- acres of land. The Church addition will be 8,487+- square feet. The maximum building height will be 28'. The site is zoned "R-2" and is in the "A-2" Overlay District. The Buffalo Township Zoning Hearing Board granted a request for a Variance from the minimum fifty (50) foot front yard depth requirement to a front yard depth requirement of ten (10) feet, thereby granting a Variance of forty (40) feet from the minimum front yard depth requirement on May 12, 2016.

The township office has received the Site Plan, Site Plan Filing Fee, Municipal Authority comments (The Municipal Authority currently furnishes public water and sewer service to St. Paul's Church. MABT approves the Site Plan and requests that the Contractor coordinate inspection of the facilities with the Authority. The Authority would also like the customer to be aware that the proposed 1 ¼ inch water line from the meter pit is served by a 5/8 inch water meter and ¾ inch water tap. If the customer wishes to upgrade the meter and water tap, there will be additional fees associated with this project as per letter received via email on 5/2/17), Butler County Planning Commission comments (Plan information Note #7 should read Buffalo Township SALDO not Butler County SALDO. BCPC did not receive information pertaining to Stormwater. This Plan requires a Stormwater Management Site Plan as per PA Act 167 Local Ordinance. BCPC did not have any other comments on this Plan as per letter received 3/17/17), Butler County Conservation District comments (The Infiltration Trench has been relocated so that it no longer is in conflict with the Rock Construction Entrance. Silt Fence has been extended in the void areas as previously described along Sarver Road on both Erosion and Sediment Control Phase I and II Plans. The Silt Fence BMP has been adjusted as to not be in conflict with the existing walk, to be removed. The Construction Sequence has been revised to reflect additional guidance to the Contractor regarding utility line installation. The Limits of Disturbance has been widened to ten feet in width to allow for construction equipment as per letter received via email on 4/25/17), and Twp. Engineer comments (see letters received 4/4/17 and after revised drawings were submitted).

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Ken Howard stated we just received a letter late this afternoon from the Butler County Conservation District that states they have approved the Plan as presented. Our comments after they gave us a revised drawing have shown that they have adequate parking. The Plans are to the proper scale, plotting of sets provided previously were not to the proper sheet size. Revised sets forwarded to Buffalo Township Planning Commission have been plotted to the proper scale size. Per coordination with Mr. Stephens with Bankson Engineers, new impervious area is below 5,000 square feet. Figure C-2 and additional storm computations related to the required storage volume requirements have been added to Sheet C-09. Also, the new impervious area has been graphically shown on the layout Plan (see Sheet C-04). Additional architectural layout information was provided directly to Mr. Stephens with Bankson Engineers from Jack Berry with Midwest Church Design, LTD. We have revised Note 11 on the Cover Sheet to state that seating within the church to not exceed 163 seats (See Sheet C-01). The applicant shall ensure that all overflow out of infiltration trench shall be conveyed to an existing catch basin along the northerly side of Sarver Road and shall not run onto Sarver Road. The following are General Comments on the Plan. The Developer shall comply with Grading Ordinance, Ordinance Number 113, and obtain a Grading Permit. No cut or fill grade shall exceed a slope of 2:1 or fifty percent. No cut or fill grade shall exceed a slope of 3:1 or thirty-three percent unless such cut or fill grade is approved by the Township Engineer, said approval to be made when the Township Engineer is satisfied that the cut or fill grade shall not adversely impact the environment and shall not create a condition hazardous to the safety and welfare of Township Residents or other persons. A Sign Permit will be required for any proposed signs. A Final Inspection of all improvements will be required prior to issuance of an Occupancy Permit. It appears that the proposed plan is in compliance with the Joint Municipal Comprehensive Plan. We can recommend approval as presented.

On motion of Chris Foust, seconded by John Zurisko, to make a favorable recommendation to the Board of Supervisors. Motion Carried. Un. Approval.

**REMARKS FROM THE FLOOR**

Dianna and Mike Edwards are interested in purchasing vacant property on Lucas Lane. They were asking about access to the property and if the property is landlocked. Atty. Charlton stated it depends on the wording of the deeds; they will need to look at the deed language. Get an Attorney to give you an opinion. Ray Smetana stated it is a legal lot; it has access to Parker Road.

Jon Doerr, Northwood Realty, stated I am here representing Amy Shick. She is interested in purchasing the property which was formerly a Chiropractic Office on North Pike Road. It is currently a nonconforming use. She would like to move her daycare which needs a bigger building. Atty. Charlton suggested applying for a zoning change to "R-2" which is the zoning across the road and then apply for a conditional use.

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**ADJOURNMENT**

There being no further business, it was on motion of Grant McConnell, seconded by John Zurisko, to adjourn this Meeting. Motion Carried. Un. Approval. Adjournment at 8:40 p.m.

**APPROVED:**

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**CHAIRMAN**

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**SECRETARY**