

## Butler Township Planning Commission

October 2, 2018

The Butler Township Planning Commission held their regular Planning Commission meeting on Tuesday, October 2, 2018 at 6:00 p.m. at the Butler Township Municipal Building, 290 South Duffy Road, Butler, PA 16001.

In attendance were Planning Commission members: Chair Ron Henshaw, Vice Chair Sam Zurzolo, Secretary Ernie Oesterling, Brenda Collins, Mike Liebler, Fred Maihle, Jr. and Richard Schontz, Jr.

Also in attendance were Engineer Bryan Flaugh with Gateway Engineers, Engineer Bill Braun with Senate Engineering, Solicitor Larry Lutz with Lutz and Pawk, and Zoning Officer Jesse Hines.

Chair Henshaw called the meeting to order followed by a moment of silence and the pledge of allegiance to the flag.

### Approval of September 4, 2018 Minutes

Motion by Collins to approve the minutes of September 4, 2018, seconded by Maihle, Jr. and carried unanimously.

### Public Comment

No comments.

### Establish 2019 Meeting Dates

Motion by Secretary Oesterling to set January 8, February 5, March 5, April 2, May 7, June 4, July 9, August 6, September 3, October 1, November 5, and December 3 as the Planning Commission meeting dates for 2019, seconded by Liebler and carried unanimously.

### Sweesy / Daurora - Subdivision

Ferguson Avenue

Mr. Frances Sweesy and Mr. Daniel Daurora were in attendance to represent the Sweesy / Daurora Subdivision.

The referenced Subdivision Plan is located at the intersection of Ferguson Avenue, Campbell Way, Campbell Avenue, and Murphy Lane in the R-1 (Single Family Residential) Zoned District. The plan proposes to consolidate lots.

Zoning Officer Hines gave an overview of the plan.

Engineer Flaugh referenced Gateway Engineers' letter dated October 2, 2018, C-25646. There are no outstanding comments.

Motion by Collins to recommend granting final approval of the Sweesy / Daurora Subdivision, seconded by Secretary Oesterling and carried unanimously.

**Highfield Community Association - Subdivision**

North Boundary Street

Mr. Dave Savage was in attendance to represent the Highfield Community Association Subdivision.

The referenced Subdivision Plan is located along North Boundary Street in the R-1 (Single Family Residential) Zoned District. The plan proposes to subdivide one lot into three lots.

Zoning Officer Hines gave an overview of the plan. He explained that he talked with the Butler Area Sewer Authority and the developer will not need to complete a Planning Module.

Discussion was held regarding the paper right-of-ways. By statute Butler Township does not have an interest in the paper right-of-ways because they did not adopt the paper right-of-ways within 21 years. The property owners may have a legal issue if someone wants to park on the paper right-of-ways.

Solicitor Lutz explained that we can issue a permit, but privately they could have serious issues.

Engineer Flaugh referenced Gateway Engineers' letter dated September 18, 2018, C-25647. There are outstanding comments.

Motion by Schontz, Jr. to recommend granting final approval of the Highfield Community Association Subdivision contingent upon compliance with Gateway Engineers' letter dated September 18, 2018, C-25647 and adding a note to the plan that states, "Butler Township in approving this plan of lots does not certify the adequacy of Lot 5 and 6 for home construction", seconded by Liebler and carried unanimously.

**Ritenour - Subdivision**

Evans City Road & Meridian Road

Mr. Ryan Wotus with Goldberg, Kamin & Garvin LLP and Mr. Jonathan Garczewski with The Gateway Engineers were in attendance to represent the Ritenour Subdivision.

The referenced Subdivision Plan is located along Evans City Road and Meridian Road in the C-2 (Convenience Commercial) and R-1 (Single Family Residential) Zoned District. The plan proposes to consolidate two lots.

Mr. Wotus and Mr. Garczewski gave an overview of the plan.

Discussion was held regarding the zoning of the parcels. Zoning Officer Hines explained that the developer is not building on the residential zoned area.

Engineer Braun referenced Senate Engineering Company's letter dated September 24, 2018, #12282. There are outstanding comments.

Solicitor Lutz disclosed that his firm did represent a Ritenour in the past, but not the applicant or anything to do with this property.

Motion by Schontz, Jr. to recommend granting final approval of the Ritenour Subdivision contingent upon compliance with Senate Engineering Company's letter dated September 24, 2018, #12282, seconded by Collins and carried unanimously.

### Sheetz - Land Development

Evans City Road & Meridian Road

Mr. Ryan Wotus with Goldberg, Kamin & Garvin LLP, Mr. Jonathan Garczewski with The Gateway Engineers, and Mr. David Mastrostefano with Sheetz were in attendance to represent the Sheetz Land Development.

The referenced Land Development Plan is located along Evans City Road and Meridian Road in the C-2 (Convenience Commercial) and R-1 (Single Family Residential) Zoned District. The plan proposes the re-development of the Sheetz Store.

Mr. Wotus, Mr. Garczewski, and Mr. David Mastrostefano gave an overview of the plan. Mr. Wotus explained that they went before the Zoning Hearing Board for a Special Exception and Variances and they were all granted.

Discussion was held regarding buffering, lighting, access points, drive-thru, canopy, signage, and dumpster location.

Zoning Officer Hines went over the Special Exception and Interpretations/Variances that were granted.

Engineer Braun referenced Senate Engineering Company's letter dated September 24, 2018, #12282. There are outstanding comments. Engineer Braun explained that where the drive-thru is located the grade is approximately 4' higher. The Arborvitae that are there are tall, but there are several that are dead or may not meet the requirement because of the 4' higher grade. The developer has added a note that they will replace any dead arborvitae or ones that do not meet the Ordinance.

Engineer Braun also stated that noise could be a possibility. Discussion was held regarding the noise that will be generated from the drive-thru.

Engineer Braun stated that there are two or three locations of wetlands. Discussion was held regarding the wetlands.

Zoning Officer Hines explained that the developer will have to sign a developer's agreement and if something is not functioning the developer will have to take care of the issue.

Mrs. Joyce Keefer of Lawrence Avenue was in attendance. She questioned the maintenance of the dumpsters, where the employees parked, and why there is not a turning lane onto Meridian Road. She is concerned with the Arborvitae and the fact that they keep dying. She would like to have two rows of Arborvitae. Mrs. Keefer is also concerned with the lighting and feels there will be more light instead of less light on the residences. Mrs. Keefer is also concerned with noise.

Discussion was held regarding the arborvitae. Mr. Mastrostefano explained that he does not know why the trees keep dying and does not think it is a good idea to add another row if they can't keep the first row from dying.

Motion by Schontz, Jr. to recommend granting final approval of the Sheetz Land Development contingent upon compliance with Senate Engineering Company's letter dated September 24, 2018, #12282, seconded by Collins and carried unanimously.

#### Questions from the Media

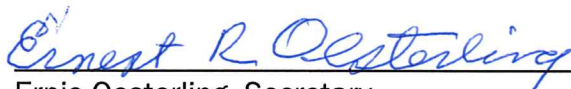
There were no questions from the media.

#### Other

Zoning Officer Hines explained that KFC is still working on revised land development plans and they are hoping to come before the Planning Commission on November 6, 2018.

#### Adjournment

Motion by Secretary Oesterling to adjourn at 7:05 p.m., seconded by Collins and carried unanimously.

A handwritten signature in blue ink that reads "Ernest R. Oesterling". The signature is written in a cursive style and is positioned above a horizontal line.

Ernie Oesterling, Secretary