

Butler Township Planning Commission

March 2, 2021

The Butler Township Planning Commission held their regular Planning Commission meeting on Tuesday, March 2, 2021 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, Solicitor Rebecca Black with Lutz, Pawk, & Black, and Zoning Officer Jesse Hines.

Chair Henshaw called the meeting to order followed by the pledge of allegiance to the flag.

Approval of February 2, 2021 Minutes

Motion by Collins to approve the minutes of February 2, 2021, seconded by Maihle, Jr. and carried unanimously.

Public Comment

No comments.

Hinch-Smith Family Farm – Subdivision

Bullcreek Road

Ms. Cheryl Hughes with Land Surveyors, Inc. was in attendance to represent the Hinch-Smith Family Farm Subdivision.

The referenced subdivision plan is located on Bullcreek Road in the A-1 (Agricultural) Zoned District. The plan proposes to subdivide a parcel into Lot 1, Lot 2, and a Remnant.

Ms. Hughes gave an overview of the plan. She explained that applications have been submitted to the DEP for on-lot sewage systems.

Engineer Flaugh referenced Gateway Engineers' letter dated February 15, 2021, C-25673. There are still outstanding comments.

Motion by Secretary Oesterling to recommend granting a modification for odd shaped lot, seconded by Liebler and carried unanimously.

Motion by Collins to recommend granting final approval contingent upon:

1. Compliance with Gateway Engineers letter dated February 15, 2021, and
2. Approval of Planning Module by DEP

seconded by Secretary Oesterling and carried unanimously.

Highfield Trails – Lot Consolidation

South Duffy & Highfield Roads

Mr. Brad Simmons with Sheffler & Company, Inc. was in attendance to represent the Highfield Trails Lot Consolidation.

The referenced Consolidation Plan is located along Highfield Road between South Duffy Road and South Boundary Street in the R-1 (Single Family Residential) Zoned District. The plan proposes to consolidate 290 adjoining lots and 10 right-of-ways into Parcel A.

Mr. Simmons gave an overview of the plan.

Engineer Flaugh referenced Gateway Engineers' letter dated February 24, 2021, C-25664. There are no outstanding comments.

Solicitor Black explained that the approval is just for the Lot Consolidation.

Mr. Ken Shultz of 232 Abner Drive was in attendance. He questioned if all the paper allies that were being consolidated were within the boundary of their land.

Solicitor Black explained that they are all within the boundaries of their property.

Motion by Collins to recommend granting final approval of the Highfield Trails Lot Consolidation, seconded by Secretary Oesterling and carried unanimously.

Highfield Trails - Subdivision

South Duffy & Highfield Roads

Mr. Brad Simmons with Sheffler & Company, Inc. was in attendance to represent the Highfield Trails Subdivision.

The referenced Subdivision Plan is located along Highfield Road in the R-1 (Single Family Residential) Zoned District. The plan proposes a cluster development of 112 or 113 single family lots with public and private improvements.

Mr. Simmons gave an overview of the plan. He explained that they have submitted a second application that will comply with the Zoning Officer determination letter with a maximum 100 lots. He explained that the plan tonight is for 112 lots.

Zoning Officer Hines explained that he has given the developer a determination letter regarding density. The applicant has appealed his letter. There are still outstanding engineer review items and they have not complied with the density.

Engineer Flaugh referenced Gateway Engineers' letter dated February 25, 2021, C-25664. There are still outstanding comments.

Solicitor Black explained that the Township's position regarding the density requirement for cluster developments is specifically exclusive of public streets shown in the plan itself. It is her recommendation that this plan be brought into compliance with our ordinance as it exists right now. Her legal opinion is that the plan does not comply with the Township's Ordinances.

Discussion was held regarding what the process would be for the applicant if the Zoning Hearing Board overturns the Zoning Officer's determination.

Mr. Ken Shultz of 232 Abner Drive is concerned with the density calculations.

Mr. John Furman of 408 Preston Drive was in attendance. He questioned public sewage, if a four-way traffic stop is being proposed, and if there has been a feasibility study of the impact this plan will have on current homes / properties.

Discussion was held regarding sewage.

Discussion was held regarding the traffic improvements. It was explained that there are not any traffic improvements being made to the intersection.

Mr. Joel Blum of 462 South Duffy Road was in attendance. He is concerned about the headlights coming into his house and water runoff.

Motion by Maihle, Jr. to recommend denying the Highfield Trails Subdivision proposing 112 Single Family Homes as the plan exceeds the density requirements of the Butler Township Zoning Ordinance Section 300-22 M(2) as stated in the Zoning Officer's determination of January 15, 2021, seconded by Secretary Oesterling and carried unanimously.

The Villas at Forest Oaks – Land Development

Mercer Road

Mr. Brett Schultz with Weaver Homes was in attendance to represent The Villas at Forest Oaks Land Development.

The referenced Land Development Plan is located off Mercer Road within both Center and Butler Township in the R-2 (Multifamily Residential) Zoned District. The plan proposes to construct 84 multi-family residential units, a community building, and a pool in the form of a condominium development with associated utilities, road, and a stormwater management system.

Mr. Schultz gave an overview of the plan. There are eight quad units and the community building being built within Butler Township.

Discussion was held regarding the required 10' buffer. Solicitor Black suggested that the application discuss this item with Zoning Officer Hines and he will give you a response.

Mr. Schultz went over Gateway Engineers' letter and the applicant's responses.

Engineer Flaugh referenced Gateway Engineers' letter dated February 23, 2021, C-25046-0002. There are still outstanding comments.

Discussion was held regarding the inter-municipal agreement and stormwater. Solicitor Black would want to add some kind of indemnity or hold harmless clause in regards to stormwater. She wants it to be clear that if we can't enforce our ordinance, then we are not responsible if the development does not comply with Center Township's Ordinance.

Motion by Collins to recommend granting final approval of The Villas at Forest Oaks Land Development contingent upon:

1. Compliance with Gateway Engineers' letter dated February 23, 2021,
2. Solicitors approval of the Inter municipal Agreement,
3. Executing a Developer's Agreement approved by the Township Solicitor,
4. Posting of Financial Security in the amount and form acceptable to the Township Solicitor,
5. Executing a Storm Water Operation and Maintenance Agreement,
6. Approval from the Butler Area Sewer Authority, and
7. Approval from DEP for the Planning Module

seconded by Secretary Oesterling and carried unanimously.

Questions from the Media

The media had questions in regards to the Highfield Trails plans. Zoning Officer Hines explained that the Highfield Trails 100 plan will need to come before the Planning Commission.

Other

Secretary Oesterling expressed his concerned about water supply and sewage. Zoning Officer Hines explained that they need to submit availability letters from BASA and PA American Water.

Zoning Officer Hines discussed cluster developments.

Adjournment

Motion by Collins to adjourn at 7:35 p.m., seconded by Maihle, Jr. and carried unanimously.


Ernie Oesterling, Secretary