

Board of Supervisors:
Thomas Schiebel, Chairman
Andrew Erie, Vice Chairman
Ronald Flatt, Supervisor
Kenneth Frenchak Jr, Supervisor
Edward Latuska, Supervisor



Michael Gallagher, Solicitor
Olsen & Associates, Engineer
Anthony Amendolea, Secretary/Treasurer
Mark Lauer, Public Works Director
Richard Round, BCO/Zoning Official

<p style="text-align: center;">PLANNING COMMISSION Reorganization/Regular Meeting Minutes January 26, 2011 6:30 p.m.</p>

CALL TO ORDER:

The Reorganization/Regular Meeting of the Center Township Planning Commission was called to order by A. J. Lynd at 6:30 p.m. at the Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

ROLL CALL:

Present in addition to Lynd were members Robert Paroli, Ken Frenchak, and Cheryl Schaefer; Township Engineer Olsen; and Township Secretary/Treasurer Anthony Amendolea. Member Robert Sloan attended via telephone conference.

REORGANIZATION

APPOINTMENTS:

1. Chairman: *Lynd motioned appointing Kenneth Frenchak as Chairman. Paroli seconded. Frenchak abstained. Motion carried.*
2. Vice Chairman: *Lynd motioned appointing Robert Sloan as Vice Chairman. Frenchak seconded. Sloan abstained. Motion carried.*
3. Secretary: *Lynd motioned appointing Robert Paroli as Secretary. Frenchak seconded. Paroli abstained. Motion carried.*

ESTABLISHING MEETING DATES, TIME, AND LOCATION:

Lynd motioned setting the meeting dates for the fourth (4th) Wednesday of each month except for November and December, which will be the third (3rd) Wednesday due to the holidays, at 6:30 p.m. to be held at the Municipal Building, 419 Sunset Drive, Butler, PA 16001. Frenchak seconded. Motion carried unanimously.

REGULAR

Frenchak chaired the Regular meeting:

APPROVAL OF AGENDA:

Frenchak motioned approving the agenda for the January 26, 2011 meeting by changing the order of business as follows: New Business, Item 2; Subdivisions & Land Development, Item 1; and resume the regular agenda. Lynd seconded. Motion carried unanimously.

PUBLIC TO BE HEARD: None

MINUTES:

Lynd motioned approving the minutes of the Regular Meeting held December 15, 2010. Schaefer seconded. Motion carried unanimously.

OLD BUSINESS: None

NEW BUSINESS:

1. Comprehensive Plan: The Comprehensive Plan review by the Planning Commission will be presented at their February 23, 2011 meeting. At that time, they will make a recommendation to the Board of Supervisors.
2. Mrs. Debra Nelson, 278 W Brewster Rd, Barn Renovation: Mrs. Debra Nelson asked Building Code Official/Zoning Officer Round about renovating a barn located at 5375 McCandless Road into a residential dwelling. Currently, the barn is on a separate parcel of land (2F63 12NC) with no other dwellings on the parcel. The structure meets the setbacks for a principal structure in the R-1A, "Low Density Residential District". There is no water or sewage on the property and three (3) storage buildings exist on the parcel. If Mrs. Nelson provides for water and sewage to the property, hires an engineer to evaluate current foundation, and apply for a building permit, Round asks the Planning Commission to advise her in consideration of the three (3) accessory structures which will be situated in the front yard, if approval is granted. Round references the following sections of Chapter 20, Zoning, in the Codified Ordinances:
 - a. Section 20-202.241: Definition of YARD, FRONT: *"The area of any property between the front lot line and the front building line. (See Figures #2 and #27, Appendix B)"*
 - b. Section 20-406.B.1: *"Prohibited in front yard unless lot size and configuration permit a one hundred fifty foot (150') setback from the street right-of-way line, combined with the setback requirements for that Zoning District. (Ord. 2007-02-03, 2/14/07, §4)"*
 - c. Section 20-503.E: *"Once a principal structure has been erected on a property, only two (2) accessory use structures shall be permitted. Any request for a third*

or more accessory structure shall be submitted to the Planning Commission for review and approval. Such structures shall meet the requirements of Section 20-406.”

The Planning Commission recommended Mrs. Nelson move the corncrib to the rear of the barn. She is to meet with Building Code Official/Zoning Officer Round for the setbacks. Sloan suggested removing the stone garage which is fifteen feet (15') from the road.

SUBDIVISIONS & LAND DEVELOPMENTS:

1. CSR Developers LLR No. 11-01-01, Moore Rd, 4 lots: CSR Developers, represented by Mr. Leo Rosenbauer, S D Graff Professional Surveying, proposes to revise lot lines for Map and Parcels: 2F63 8CA; 8CB; 8CC; 8CD; and 8CE which are located east of West Sunbury Road (SR 308) and Moore Road (T-567). The revision request eliminates one lot. Impact fees of \$1,380 per lot remains unchanged. Mr. Rosenbauer asks for preliminary and final approval. The Butler County Planning Commission did not have any comments. Olsen comments were:
 - a. “Right-of-way”, as defined in the Subdivision Ordinance, includes the following requirement: *“When a lot abuts a right-of-way of a public thoroughfare or alley, all applicable lot area and front, side, and rear lot requirements shall be computed from the street right-of-way line”*. The setback locations on the plat are computed from the street right-of-way. However, the Planning Commission may wish to request the applicant’s surveyor add the lot area computed in a manner consistent with the ordinance definition, which does not include the adjoining right-of-way. This could be provided as a table on the drawing if convenient to the Applicant.
 - b. Section 14-603A(5) of the Subdivision Ordinances states: *“Where an existing Township street of inadequate width traverses or abuts the subdivision or land development, the entire right-of-way, measured from the centerline of the existing cartway shall be provided in accordance with the standards of this Chapter”*. Therefore, the Planning Commission and Board may require that the plat indicate an additional 8.5 feet as dedicated to the Township for use as part of the Moore Road right-of-way, which is currently 33 feet. In such an instance, the Township should coordinate with the Township Solicitor as to the timelines and Board action required to formally accept the dedication. In the past, on similar circumstances, there have been discussions that requirements of additional road right-of-way dedication was considered a “taking” by current case law and for that reason a “request” for a dedication of additional road right-of-way was more appropriate. This should be discussed with the Applicant at the public meetings.
 - c. Currently, the five existing lots are reflective on one deed, but are assigned separate tax numbers. The Board may wish to require the applicants to file a corrective deed to ensure that future separate conveyance of the lots is consistent with the revised subdivision.

- d. We presume the twenty foot right-of-way adjoining West Sunbury Road and indicated on the western side of Lot 2E is a sanitary sewer easement. If so, the surveyor should label it as such on the plat.
- e. The revision of the lot lines is consistent with the standards of the R-1 District.
- f. The Township's standard stormwater sump detail should be added to the drawing and Note 1 should be amended to state that construction of a sump will be a condition of future lot owners receiving a building permit from Center Township.
- g. Wetlands are noted on the drawing but these should be better labeled or shaded to insure future lot purchasers know the wetland delineation limits.

Township Engineer Olsen noted the above comments were noted on the revised plan. ***Lynd motioned recommending preliminary and final approval of CSR Developers LLR No. 11-01-01, as recommended by Township Engineer Olsen. Paroli seconded. Motion carried unanimously.***

Township Engineer Olsen departed the meeting at 6:41 p.m.

MISCELLANEOUS:

1. Frenchak noted that the SR 8/Benbrook Road signal should be complete by the end of February or early March. A ribbon cutting ceremony will be held upon completion.

ADJOURNMENT:

A motion was made by Lynd to adjourn the Reorganization/Regular Meeting at 6:53 p.m. Schaefer seconded. Motion carried unanimously.

ANTHONY A. AMENDOLEA
Township Secretary/Treasurer