

Board of Supervisors:
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Alan Smallwood, *Supervisor*



Anthony Amendolea, Secretary/Treasurer
Michael Gallagher, Solicitor
David Heath, Engineer
John Nath, Building Code Official
Randall Brown, Zoning Officer

CENTER TOWNSHIP PLANNING COMMISSION

Regular Meeting Minutes
November 17, 2021
6:30 p.m.

CALL TO ORDER:

The Regular Meeting of the Center Township Planning Commission was called to order by Chairman Robert Wise at 6:31 p.m. at the Unionville Volunteer Fire Company Firehall, 102 Mahood Road, Butler PA 16001.

ROLL CALL:

Present, in addition to Wise, were members, Brad Cavaliero and Thomas Schiebel; Township Engineer Heath; and Township Secretary/Treasurer Anthony Amendolea. Vice Chairman Nicholas Angiolieri and member Michael Chopp were absent.

APPROVAL OF AGENDA:

Cavaliero motioned approving the agenda for the November 17, 2021 meeting. Schiebel seconded. Motion carried.

PUBLIC TO BE HEARD: None

MINUTES:

- A. Regular Meeting – October 27, 2021: *Schiebel motioned approving the minutes of the Regular Meeting held on Wednesday, October 27, 2021. Cavaliero seconded. Motion carried.*

SUBDIVISION & LAND DEVELOPMENTS:

- A. Clearview Mall Major Subdivision No. 2021-10-09, Preliminary and Final, Expires 01/24/2022: Mr. Richard Craft presented. Clearview Mall Capital Holding LLC owns two (2) parcels that are 67.122 (m/l) acres (Center Township Map 060-S18-A1) and 19.656 (m/l) acres (Center Township 060-S18-A2). The owners plan to subdivide the property creating five (5) new lots for each of the anchor stores at the mall. This subdivision would allow for individual sale of each lot, which the anchor stores can then use for financing. Each proposed parcel has a portion of the main building along with the required number of parking spaces. Reciprocal easements are proposed for parking, access, and utilities. No new utilities or modifications are proposed as part of this proposed subdivision. As part of this subdivision the remnant acreage is being reduced to only include the slope, stormwater management, and undeveloped portions of the property. The Mall parcel has been increased to include all of the parking and loop road. The anchor store parcels will be completely surrounded by the Mall parcel. Butler County Planning Commission has not made any comments. Township Engineer Heath's comments

per review letters dated October 26, 2021 and November 15, 2021 are as follows (*Mr. Richard Craft's comments are italicized*):

1. Applicant must request a waiver to not show existing topography on the plans. (*A waiver will be requested.*) Waiver letter received; item is considered satisfactory. (*Acknowledged*)
2. Applicant shall include pavement width for any streets within two hundred feet (200') of the boundary line (Section 14-403 B3). (*Information will be added.*) Pavement widths noted; item is considered satisfactory. (*Acknowledged*)
3. Location, width, approximate grade and name of all proposed streets and the location and purpose of all proposed easements (Section 14-403 B3) (*No new streets will be added.*) Response regarding the 50' width "loop road" is noted; please clarify if "Ring Road", as noted on the plans, is synonymous with the "loop road" as noted in the response letter. If so, please include an indication on the plans that "Ring Road" is a private road. Item is considered outstanding. (*The "loop road" and the Ring Road" is the same thing. A notation of the private road status will be added to the plan*)
4. Applicant shall provide a table for acreage of existing and each new proposed lot. (*Table will be added.*) Acreage table is noted; item is considered satisfactory. (*Acknowledged*)
5. Matchlines should be placed strategically to show each new lot on a separate sheet from other proposed lots. (*Matchlines will be adjusted.*) Response regarding not revising the plan sheets is noted. Please provide the project CAD file, as offered in the response letter, for ease of review. Item is considered outstanding. (*Our office will provide a copy of the CAD file.*)
6. A drawing of the lot or lots to be formed shall not have a scale smaller than one hundred (100') to one inch (1"), and showing the tax parcel number, names of abutting property owners, and zoning district (Section 14-403) (*No comment.*) Adjoining property owners across Henricks Road noted. Please include the zoning district for Lots 1, 2, 3, and 4; item is considered outstanding. (*The primary zoning for all of the lots is C-1. However a small portion of Lots 2 & 3 are Zoned R-3. Should these lots be labeled C-1 since it is the primary zoning or does the Township want the sections of the lot zoning noted?*)
7. Applicant must provide information for who is responsible for parking area maintenance for new lots. (*Parking lot maintenance agreement is required.*) Schiebel suggested parking should be separate. Wise questioned if there is a homeowners association agreement. Cavaliero stated Rural King's equipment takes up majority of their parking area. The Maintenance section of the "Declaration of Reciprocal Easements" is noted; item is considered satisfactory. (*Acknowledged*)
8. Proposed Lots 1 through 5 appear to be surrounded by the proposed "Mall" Lot, therefore these lots do not have frontage to any road. (*Needs further investigated.*) Each lot now fronting the private road is noted, item is considered satisfactory so long as other comments regarding the private road are resolved. (*Acknowledged*)
9. We recognize General Note 2 regarding reciprocal access easements existing between parcels; however, a clearly defined, proposed, ingress/egress easement shall be established connecting each proposed lot to a public right-of-way. (*Loop road should be defined as ingress/egress.*) See comment and response 3. Reference to a private road does not seem to be included in the "Declaration of Reciprocal Easements", please clarify if this is intentional. Item is considered outstanding. (*Clarifying language will be added to the Declaration of Reciprocal Easement document.*)
10. Please define how utility services and stormwater management will be owned and maintained for each proposed lot. (*Anchor stores are individually serviced. Stormwater management is provided by a detention pond located below the mall. Provide an operation and maintenance agreement between the mall, anchor stores and out parcels. The easements should be defined for utilities and stormwater.*) We recognize that the "Declaration of Reciprocal Easements" contains language regarding the rights for Owners to maintain utility services. However, it did not appear that there was language specifying who is responsible for the long-term maintenance and ownership of the stormwater basin specifically. Please include on the plan a reference to the "Declaration of Reciprocal Easements" document specifically. Additionally, please clarify how information related to the "Declaration of Reciprocal Easements" may be passed to new property owners if the properties are sold in the future. Will this agreement be recorded? Item is considered outstanding. (*The "Declaration of Reciprocal Easements" will be recorded and will run with the land. It will apply to all owners of the parcels, and it will be of record when they receive their title commitment. The declaration states that each owner will be*

responsible for maintenance of the utilities/common improvements located on its lot. Therefore, the owner of the lot on which the stormwater basin is located will be responsible for its maintenance. A statement will be added to the plan for the reference to the Declaration.)

11. Please revise the subdivision plan to remove information pertaining to a previously prepared ALTA/NSPS Land Title Survey that is not relevant to the current subdivision. *(The Schedule B information on the General Notes sheet COO1 (10 of 10) will be removed.)*

Schiebel motioned recommending granting the modification to Chapter 14, Article IV Section 14-403.B.3.e requiring existing and proposed contours. Wise seconded. Motion carried.

Schiebel motioned, contingent on Items 3, 5, 6, 9, 10, 11 and recording of the “Declaration of Reciprocal Easements”, recommending preliminary and final approval of the Clearview Mall Minor Subdivision No. 2021-10-09. Cavaliero seconded. Motion carried.

OLD BUSINESS:

- A. Stormwater Management - Chapter 14 Revision: Township Engineer Heath proposed to amend Chapter 21, Stormwater Management, and remove the conflicts in Chapter 14, Subdivision and Land Development of the Center Township Codified Ordinances. The Board adopted the amendments to Chapter 21 on December 9, 2020 by Ordinance No. 2020-12-04. The conflicts within Chapter 14 were not address. ***Schiebel motioned recommending approval of the Stormwater Management – Chapter 14 Revision. Wise seconded. Motion carried.***

NEW BUSINESS: None

MISCELLANEOUS: None

ADJOURNMENT:

Cavaliero motioned to adjourn at 6:52 p.m. Schiebel seconded. Motion carried.

ANTHONY A. AMENDOLEA
Township Secretary/Treasurer