

Pledge of Allegiance

Present:

Present at the meeting: Council Liaison Carl Stepanovich, Ryan Lemke, Jayne Hoy, Bob Mitall, Edward Patrick, James Olszewski, Chris Kerns, Chris Livecchi and Chief Administrator Jim Morrison.

Reorganization of the Board: Ms. Hoy nominated Robert Mitall as Chairman of the Commission; Mr. Patrick nominated Jayne Hoy as Vice-Chair; Ms. Hoy nominated Ed Patrick as Secretary; Mr. Morrison moved that the nominations be closed. All present voted aye: motions approved. Mr. Mitall then took over the meeting as Chairperson.

Approval of Minutes: Mr. Patrick moved to approve the December 14, 2021, minutes; Mr. Olszewski seconded. All voted aye. Motion approved.

Old Business:

1. Consider approval of Murry Corporate Park, SP-10-21, a Major Land Development, Mellon Road/Rt. 22, Tax Parcel 49-21-00-0-033, B Zoning

Mr. Mitall stated that this was previously brought in front of the planning commission in December 2021, the planning commission reviewed it, and there were some outstanding items and the applicant's engineer has presented a waiver request for some items.

Steve Caruso from Civil Environmental Consultants is the representative speaking on behalf of Murray Corporate Park.

Mr. Mitall confirmed with Mr. Morrison that everything is in order except for a few outstanding items.

Mr. Morrison stated that there are waiver requests for: environmental impact statements, air quality study, acoustic impact study, community impact study, and 1% pipe slope requirement. Yet to be provided, if there are any, are waivers for the architectural standards.

Mr. Mitall asked the planning commission if they have any objection to granting the waivers for environmental impact statement, air quality study, acoustic impact study, community impact study, and 1% pipe slope requirement? Planning commission all stated that they did not have any objection with any of the waivers.

Frank Ewing from Murry Corporate Park stepped up to the microphone and stated that he would like to point out some things about this building and his concerns about the

architectural requirements. He stated that this is an industrial building, used mostly as a warehouse. He advised to put 20% glazing on all four sides would make this project economically unfeasible. He advised that two sides of this building will not be visible from Mellon Road and Route 22 because the west side is facing away from everything and the north side will be blocked by the new Store Express Building, so he would like to get a waiver to some reasonable amount of glazing that will please everybody.

After a significant discussion regarding the waiver for architectural glazing requirements, it was decided that 12% on the east side & south side of the building would be sufficient.

CONDITIONS OF APPROVAL:

1. Waiver requests for the environmental impact statement, air quality study, acoustic impact study, community impact study, 1% pipe slope requirement, and a written request outlining the architectural request for the architectural waiver, which will detail the actual square feet of the building and what the features will be.
2. Traffic Impact Fee of \$42,720.
3. Fire Hydrant at the entrance of the driveway.
4. NPDES Permit.
5. Any other state and federal permits.
6. 110% Bond, including landscaping estimate.
7. Approved easement for the access road to the pond.
8. FTMSA Approval.

Ms. Hoy made a motion to forward this matter onto council with all the stated Conditions of Approval. Mr. Lemke seconded. All voted aye. Motion approved.

New Business:

1. Consider acceptance of the application for Tommy's Express Car Wash, SP-1-22, CU-1-22, a Major Land Development, two parcels 49-14-08-0-015 and 49-14-08-0-016, 4765 Old William Penn Highway, B Zoning.

Matt Shinton from Kimley-Horn is the representative speaking on behalf of Tommy's Express Car Wash.

Mr. Mitall stated that this is the former Choice Auto Site.

Mr. Morrison stated that Kimley-Horn responded to the briefing and the staff believes the application is sufficiently complete and ready to be accepted. Mr. Morrison also noted that there is also a lot consolidation with this and an abandonment of easement.

Ms. Hoy stated that she did not see any architectural elevations with the plans. Mr. Shinton advised that they will be forthcoming with the resubmission.

Mr. Kerns made a motion to accept the plan. Ms. Hoy seconded. All voted aye. Motion approved.

2. Consider authorization to advertise for a public hearing for Tommy's Express Car Wash, CU-1-22, 4765 Old William Penn Highway, B Zoning.

Mr. Morrison advised that he would advertise the public hearing to be held at the March 8, 2022, planning commission meeting.

3. Consider acceptance of the application for tentative approval of the Cherry Farms Development, PRD-1-21, CU-1-21 and S-4-21, a Planned Residential Development, three parcels 49-10-12-015, 49-11-00-0-002 and 49-11-00-0-158 totaling seventy-three acres, R-1 Zoning, located on Cherry Drive.

Mr. Morrison explained the PRD process and stated that the staff went through the application for the tentative approval process and staff found many instances where the application did not meet the requirements and the briefing indicated several requests for additional information, and for these reasons Mr. Morrison recommended that this application not be accepted tonight.

Chris Hamm from KDH Consulting Engineering is the representative speaking on behalf of the applicant and he stated that he does not have a problem with that because he understands that the PRD process is an extraordinarily complex process. Chris stated that he would like to go through the comments, set up a meeting with staff to go over the comments and come back in next month for acceptance of the application and then start the procedure.

Mr. Morrison stated that there are three technical experts (stormwater, soils, and the reviewer) here tonight that reviewed the plan and provided comments in the briefings.

Don Housley licensed professional land surveyor, with KU Resources was the first to speak about the application. Mr. Housley advised that he reviewed the zoning and SALDO compliance review portion of this application. Mr. Housley stated that his concerns were that the phasing of the project has not been determined, traffic impact study was not yet completed. He felt that the reports that were submitted needed to be expanded. He stated they were simple, one sentence, small paragraph responses for community impact, environmental impact and he felt they were incomplete, and he also had some issues with some of the lot sizes.

Bud McCutcheon, Professional Engineer and Geotechnical Consultant with KU Resources was next to speak about the application. Mr. McCutcheon advised that his concerns, geotechnically, with this project are the developability of the site. He further went on to state that the area is landslide prone soils and that can be exceedingly difficult to work with and he needs to know that they are going to do a sufficient job in addressing those concerns. He also stated that he is concerned about them addressing the stability of the site to the point that he asked for more confirmation of strength parameters, how they are going to address colluvial soil, which are the soils that have moved from landslides. He wants to make sure they want to know the consequences of that are and that they can prove the stability of the project to him.

Rich Kauffman, an engineer, from KU Resources advised that his concerns are primarily concerning the stormwater; infiltration calculations, emergency spillway calculations, E&S control narrative and calculations, and repairing and buffering wetland impacts. He further stated that he is also asking for the FEMA and 100-year water surface elevations and an NPDES (Non-Pollution Discharge Elimination System) permit and the worksheets should be included in the stormwater management report.

PUBLIC COMMENT:

Ben Dunigan of 3433 School Road stated that he is the current owner of what was formerly known as the Mance Tree Farm, which is a 16-acre plot of land that is directly in the watershed. He advised that he is worked over a number of years to develop it into a small hobby family farm with a greenhouse and displaying hanging flower baskets. He advised that he has done a lot of work cleaning up that property and he now has nesting green herons that are in that creek. He advised that he is not for or against this development yet, but he is concerned because he feels that if they do build the development and if would be landslide prone, the amount of sediment that will come down into his creek will chase the green herons away. He just asks that everyone to really think hard about this development and what it can or cannot do for the community.

Valerie Robinson of 4820 Cherry Drive stated that she is one of the adjoining properties that is kind of two sided on this deal. She asked if there is a proposed height limit on the retaining wall that would be built along the edge of her property? The planning commission could not answer that question at this time. She next asked if there is a setback for the retaining wall? Mr. Morrison advised that it would be five feet from her property line. She then stated that part of her driveway is the paper street, Diana Mae Lane, and she asked if that would be used as a construction entrance. Mr. Hamm advised that, that street will not be used as a construction entrance. Ms. Robinson next asked where the sewage would be running to? Mr. Hamm advised that they met with FTMSA a few weeks ago and the plan is to put a pump station on Cherry Drive that will

pump to a manhole.

Jeff Iano of 3727 Windover Road stated that when he moved into the neighborhood approximately 25 years ago, the hillside in front of his property, on top of North Hills Extension, had a major landslide that almost took out the road. He is concerned because he has heard that they are going to use Windover Road as an access road to get the heavy equipment in and if that would happen and if a landslide would occur, it is going to be a major construction project to get that hillside and Windover Road back up and running. Mr. Iano also stated that he is concerned because if a pump station goes in, and pumps and fluid toward Windover, the sewage system is not going to be able to manage it and is not adequate for it.

Carol Schneider of 5120 Cherry Drive questioned why would the developer vary from the 1-acre standard in Murrysville and be permitting ½ acre lots? Mr. Mitall answered that every residential developer has the opportunity to demonstrate how a project would better protect the environment doing the PRD approach. Ms. Hoy stated that the developer must show us a plan that he can build so many lots and stay out of the wetlands and not build on steep slopes and he must prove to us that he can build a house on each one of these lots. To protect the wetlands and allow more greenspace, consolidate the sizes of the lots smaller, allow more greenspace and protect the wetlands and that is one of the reasons the PRD was developed.

Marty Weir of 3765 Windover Road stated that he is a sewer and water contractor, mechanical contractor and he is concerned about approving a plan that is not going to take into account future development. He just asks that everyone takes into consideration not to allow a quick and easy plan.

Alice Molicki of 4802 Cherry Drive had a question about the greenspace. She stated that it is a very graded area with a lot of wetland and steep slopes. She stated that even if they would build smaller lots to maximize space, she does not see how they can call it greenspace that it is usable for the people there in the properties; it is not something that you can use it for, like hiking or stuff like that. Mr. Mitall said it would be better to refer to it as open space, where nothing is built on it. Ms. Molicki further stated that she is concerned about the slopes and the soil. She said that she does not know how they are going to be able to prove that they can build viable homes on their soils with the water table.

Greg Schneider of 3560 Applecroft Lane showed a cell phone video footage to the planning commission of how his back yard and basement gets flooded every time from heavy rainwater and storms that we get. This information was emailed to Mr. Morrison and make part of the file.

Mr. Lemke made a motion to not accept the plan. Mr. Patrick seconded. All members voted aye. Motion approved.

4. Consider authorization to advertise for a public hearing for PRD-1-21, CU-1-21 and S-4-21, Cherry Farms Development, a Planned Residential Development, R-1 Zoning.

Mr. Mitall stated that we will delay this matter until we have an accepted application.

Other Business: None

Adjournment: Ms. Hoy moved to adjourn at 8:30 p.m. Mr. Patrick seconded. All members voted aye. Motion Approved: 7 - 0