

**RICHLAND TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
MONDAY, JANUARY 12, 2009**

MEMBERS

Tim Gaichas – Chairman
Joseph Pillart – Vice Chairman
Bob Goetz
Jim McChesney
Diane Pontoriero – Secretary

OTHERS PRESENT

Jeff Walzer – Building & Code Enforce. Officer
Suzanne Owens – Recording Secretary

RE-ORGANIZATION OF PLANNING COMMISSION FOR 2009

The meeting of the Planning Commission was called to order by Mr. Walzer on January 12, 2009 at 7:08 p.m. Mr. Walzer welcomed all and stated the first order of business was to approve a Chairman. Mr. McChesney made a motion to reappoint Tim Gaichas as Chairman. Mr. Goetz seconded the motion and it was approved by all. Mr. Gaichas requested a nomination for Vice Chairman. Mr. Goetz made a motion to nominate Diane Pontoriero as Vice Chairman. Mr. Pillart seconded the motion and it was approved by all. Mr. Gaichas requested a nomination for Secretary. Mr. McChesney made a motion to nominate Bob Goetz as Secretary. Mr. Pillart seconded the motion and it was approved by all.

Ms. Pontoriero made a motion to keep the Planning Commission meetings as they are currently held on the third Monday of the month at 7:00 p.m., with the exception of the first meeting in January 2010 which will be held on January 11, 2010, due to the conflict with Martin Luther King Day. Mr. Goetz seconded the motion and it was approved by all.

APPROVAL OF MINUTES

Ms. Pontoriero made a motion to approve minutes from Planning Commission Meeting of December 15, 2008. The motion was seconded by Mr. Goetz and approved by all.

CORRESPONDENCE

The Planning Commission acknowledged a letter from Mr. Dean Bastianini to Mr. Robert Goetz congratulating him on his reappointment to the Planning Commission.

UNFINISHED BUSINESS

Anthony Crankovic – Custard Crossing Restaurant – Consideration of preliminary land development plans for the construction of a restaurant on property situate at 3771 Gibsonia Road. Zoning District “CM” Commerce/Industry, Lot & Block No. 1663-R-110. Revised plans dated January 6, 2009. Deemed approval date has been waived by applicant.

Mr. Gaichas asked Mr. Crankovic if he was in receipt of the TIF Calculation Form with the updated impact fee of \$15,156.00 as well as Mr. Shoup's engineering letter dated January 9, 2009 and Mr. Crankovic said yes. The following items from the Shoup letter were discussed:

Item 1 – Highway Occupancy Permit from PennDOT – It was noted that the application has been submitted to PennDOT and this is progressing along.

Item 2 – Elevation views – As per Mr. Walzer's December 17 letter to Mr. Crankovic, elevation views of the building need to be submitted to verify that the rooftop mechanicals as well as Code Sections 27-505.C(4) and 27-505.C(5)(b) have been addressed. Elevation drawings were distributed and Mr. Crankovic stated that they will mimic the look and nature of the Mars Train Station. He thinks this is shown on the drawings with the front view, with the addition of all of the stucco work and wood slat look. The porch extends over along with the three posts and support structure. The grey area running the length of the building reflects the supports similar to the train station. The false parapet is approximately three feet tall and this is adequate to completely shield any of the mechanicals on all four sides. The eaves will go on the two sides and on the back it will be a straight wall. Mr. Gaichas asked if he can verify that this is taller than the mechanicals and Mr. Crankovic said yes. Mr. Gaichas suggested that when presenting to the Board of Supervisors, be certain to have the correct colors on the rendering or put descriptions on everything as to what colors will be where and what will offset.

Item 3 – Dumpster enclosure – Mr. Crankovic stated that the dumpster enclosure wall shall be constructed of dryvet/stucco material. He also stated that there will be a side man door so that the big door will not have to be opened constantly. Mr. Walzer said on page 2 of the site plan, make certain the dumpster description is changed. Mr. Gaichas did ask what the posts are made of and what color they will be. Mr. Crankovic said they are planning to use 4 x 4 wolmanized wood posts that will be painted.

Item 4 – Wall mounted and porch recessed lights – According to Mr. Shoup's letter the lights are compliant with code requirements.

Item 5 – Financial security for landscaping – Discussed at last meeting.

General Comments:

Mr. Crankovic spoke about possibly moving the dumpster area. Mr. Gaichas stated that if he were to make this change on the plan, the Planning Commission could not give him a recommendation tonight unless he got the recommendation with the plan as is and came in later for a revision. Mr. Crankovic said he would leave it as is.

It was also mentioned that the engineer placed three evergreens and five hedges where the gas building and line runs for the rear buffer area. He has not checked with the gas company but was wondering if this will be an issue. Mr. Gaichas said he has a feeling the gas company will not want him to dig to put the landscaping there so they will have to be moved on the site. It was stated that Mr. Crankovic is over what he needs for trees; therefore it was suggested to remove the four hedges to the right and the two trees on the far right.

Mr. Gaichas asked Mr. Crankovic if he gave an affidavit to the Township regarding the portion of the Zoning Ordinance on nuisances and he said yes.

Mr. Goetz stated that the language regarding the future road widening is not on the plan. Mr. Crankovic said he retained legal counsel and they said the future road setback was removed per attorney counsel and this was done voluntarily on his behalf. He is locating the building where he is and if there is anything in the ordinance, he would like it put in writing where they don't adhere to the ordinance as presently written. Mr. Goetz said he feels the Planning Commission would like the Township solicitor to look into this.

Mr. Crankovic stated that PennDOT told him he has to go back to a single ingress and a double egress. PennDOT said due to the volume of traffic and the size of the lot it made for a dangerous condition having egresses on both sides of the island. PennDOT also said the low volume of traffic and lot size would not allow for stop signs. Mr. Crankovic said this was just a preliminary report but he took their recommendations and made the change.

Ms. Pontoriero made a motion to grant preliminary and final land development approval for the Custard Crossing restaurant plan situate at 3771 Gibsonia Road with the following conditions:

Corrections on the dumpster enclosure material are corrected on the site plan to reflect that they match the existing building.

Provide more information on the colors and materials for the Board of Supervisors meeting.

Remove the trees over the gas easement at the rear of the property.

We, the Planning Commission, had voiced concerns with the removal of the proposed road realignment right-of-way and we recommend that the Township solicitor reviews this item.

The motion was seconded by Mr. McChesney and approved by all.

NEW BUSINESS

None

OTHER BUSINESS

Mr. Bastianini presented a letter from Frank Boyle, who was one of the applicants on a two-lot subdivision plan which the Planning Commission approved in 2004. The co-applicant is Mrs. Kirmeyer who lives on McMorrان Road and owns almost five acres of property. She was going to create a one-acre lot on which Mr. Boyle was going to build a house and he needed to extend the sanitary sewer line up to the property in order to build. Back on January 19, 2004 he obtained preliminary and final approval from the Planning Commission. He never recorded the plan nor did he ever come before the Board of Supervisors to obtain final approval. Mr. Boyle paid Allegheny Valley \$3,000 to reserve the sewer capacity and then applied for an exemption from the DEP, which would give him permission to extend the sewer line for the two parcels. When he got the actual cost to extend the line, he could not pay and he never proceeded with the project. In 2006 he wrote a letter to the Township indicating that he wasn't able to proceed and wanted to get his \$3,000 back from Allegheny Valley. There were delays and nothing transpired. Over Christmas he came in with his paperwork and asked to resurrect this effort to get his money back. Mr. Bastianini found out that once he paid his \$3,000 the sewer capacity was locked in for him. However, given the economic times, Mr. Boyle wants his money back and the procedure for that would be for the Township to rescind the prior approval. Ms. Pontoriero made a motion that the Planning Commission would adopt a motion to rescind the previous recommendation of approval for the subdivision. The motion was seconded by Mr. McChesney and approved by all.

There being no further business, the meeting was adjourned at 8:04 p.m.

Approved by,

Respectfully submitted,

Tim Gaichas, Chairman

Suzanne Owens, Recording Secretary

sro/

cc: Richland Township Board of Supervisors
Zoning Hearing Board