**MINUTES**

**FOX CHAPEL PLANNING COMMISSION MEETING HELD SEPTEMBER 21, 2020**

PRESENT: Harrison S. Lauer, Chairman; Nannette Bennett, Wesley W. Posvar, James Royston, Jeffrey Todd, Members; Paul R. Bell, Zoning Officer; A. Bruce Bowden, Borough Solicitor; Shawn Wingrove, EIT, Borough Engineer; Shawn M. Peterson, Borough Secretary

ALSO

PRESENT: Mark Hoffman, Resident; Steven Victor, Victor-Wetzel Associates; 8 other attendees

Mr. Lauer called the meeting to order at 5:01 PM.

The minutes of August 17, 2020, meeting were approved as submitted.

Hammock Beach Partners Subdivision Plan

The proposed subdivision application prepared by Victor-Wetzel Associates is a consolidation of lots 251 and 305 Old Mill Road. The proposed consolidation will be a Conventional Subdivision located in the “A” Residential Zoning District. Preliminary and Final Approval is sought. The proposed Hammock Beach Partners Subdivision Plan meets the requirements of the Borough’s Zoning Ordinance and Subdivision Ordinance.

Steven Victor, from Victor-Wetzel Associates on behalf of Hammock Beach Partners, spoke to the Planning Commission on the Subdivision Plan. Once HBP received the Conditional-Use approval for their Density Development in July 2020, Victor-Wetzel Associates went to the builder, PW Campbell, to discuss simplifying the project from 6-lots down to 4-lots. This, according to Mr. Victor, puts the burden of the Borough’s environmental requirements and the NPDES permitting on the builders themselves. Mr. Victor went on to describe each lot and where the driveways will be located for each.

* Lot 1 will be a 4-acre lot with the driveway located either on Haverford Road or Old Mill Road. The drive will utilize most of the existing driveway.
* Lot 2 will be a 6-acre lot with a Haverford Road driveway entrance.
* Lot 3 will be a 6-acre lot that will utilize ¾ of the existing driveway off of Old Mill Road.
* Lot 4 will be a 3.8-acre lot that will either have access from Old Mill Road or utilize the first 200-feet of Lot 3 driveway with one curb-cut.

Mr. Royston asked a question about Duquesne Light’s electrical connections to the four lots. Mr. Victor stated an underground utility line with manholes located on Lot 2 and Lot 3 must be maintained as it provides a backdoor feed for Haverford Road. Lines from it would feed into Lots 1, 2, and 3, with Lot 4 connecting to Old Mill Road.

Mr. Lauer stated that the Borough Engineer and Code Enforcement Official had both reviewed the plans. He also noted that the prior applications for PRD and density developmentincluded an application for Environmental Disturbance. This is not needed for this application, as there will be no environmental disturbance for this application. An application will be required to be filed, and approval granted when each lot is being developed.

Mr. Lauer questioned Mr. Victor on the last review letter from the Borough Engineer, who had an existing outstanding item. A notation for the requirement of an Environmental Disturbance

Application must be submitted before any construction should be inserted on the Plans. Mr. Victor agreed to place this notation on the Plans.

Mr. Victor stated an open NPDES permit would be closed before any new applications for the individual lots are applied for.

Mr. Bowden asked if there would be a covenant against further subdivision of these lots. Mr. Victor stated that he was not sure if that was in the covenants, but they will incorporate it. There is a standard note on the Plot itself that states “no further subdivision.”

Following review, it was moved by Mr. Lauer that the Planning Commission recommends to Council that the Hammock Beach Partners Subdivision Plan be granted Preliminary and Final Approval, subject to the addition on the Plan that states, “construction can begin on a lot only when an Environmental Disturbance Application has been filed and approved.” This is also subject to compliance with any recommendations from the Allegheny County Economic Development, Planning Division. The motion was seconded by Mr. Royston and passed by a unanimous vote.

Sherry Malone Plan of Lots #2 Subdivision Plan

The proposed subdivision application prepared by Victor-Wetzel Associates is a resubdivision of 22 Edgewood Road and 5 Meadowood Drive with Tax Parcel No. 225-M-39. The proposed subdivision will be a Conventional Development located in the “B” Residential Zoning District. Preliminary and Final Approval is sought. The proposed Sherry Malone Plan of Lots #2 Subdivision Plan will meet the requirements of the Borough’s Zoning Ordinance and Subdivision Ordinance.

Mr. Victor was present to represent the Sherry Malone Trust. Mr. Victor states that 1.84-acres would be transferred from the Sherry Malone property to 22 Edgewood Road, and 3.1-acres would be transferred from the Sherry Malone property to 5 Meadowood Drive. Since the Trust will sell to the abutting property owners with no improvements made to the land, no environmental disturbance applications need be filed. This is essentially a resubdivision of three existing lots.

Mr. Lauer pointed out that the side setbacks are listed at thirty-five feet each on the Plan, which total seventy feet, and the Borough requires eighty feet total. Mr. Victor stated that the engineer chose to label both sides thirty-five feet so the property owner can choose what side to place the larger side setback on. Hypothetically, a violation would occur if someone put a structure(s) that impinges on a thirty-five foot setback from either side. This does give a starting point with limitations due to the second half of the Code stating there needs to be eighty feet total of both side setbacks. Mr. Victor also said that there would be no covenant, but there will be a standard note on the Plot itself that states “no further subdivision” of any of the lots.

Following review, it was moved by Mr. Lauer that the Planning Commission recommends to Council that the Sherry Malone Plan of Lots #2 Subdivision Plan be granted Preliminary and Final Approval. This is also subject to compliance with any recommendations from the Allegheny County Economic Development Department, Planning Division. The motion was seconded by Mr. Todd and passed by a unanimous vote.

There being no other business to come before the Board, the meeting was adjourned at

5:32 PM.

SHAWN M. PETERSON

Borough Secretary