

**WEST DEER TOWNSHIP PLANNING COMMISSION MINUTES  
OCTOBER 28, 2021 (Live and Via Zoom)**

The Meeting was called to order with the following members in attendance:  
John Butala, Patrick Stark, Robert Bechtold, Kathy Rojik, and Alan Banks.

Absent Members: Suzanne Garlena, Mark Schmidt.

Other Attendees: William Payne (Code Enforcement Officer)  
Chris Voltz (Solicitor)  
Sandy Nelko (Shoup Engineering)  
Dorothy Moyta (Zoning & Planning Administrator)

Applicant Presenters: Pittsburgh Buddhist Center: Mr. Damitha Karunaratne  
Mr. Josh Haydo, Wooster & Assoc.  
Michael & Teresa Coletta Subdivision/ Russellton Dollar General:  
Mr. Craig Bishop, HRG  
Mr. Robert McCollum, Penntex  
Traditions of America: Mr. Tim McCarthy

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**Outline and Order of Meeting**

1. Approval of September Minutes
2. Pittsburgh Buddhist Center – Conditional Use – 58 QSI Lane
3. Zoning Ordinance Audit Worksheet (Consultant absent – Continued to November meeting.)
4. Michael & Teresa Coletta Subdivision Plan
5. Russellton Dollar General – Tentative Approval Conditional Use & Land Development
6. Traditions of America – Rose Ridge – Tentative Approval PRD – Conditional Use
7. Reschedule November 25, 2021 Planning Commission Mtg. Due to Thanksgiving Holiday
8. Workshop Meeting: Public Discussion

**Approval of Meeting Minutes**

A motion was made by Mr. Stark and seconded by Mr. Banks to approve the September Minutes. The September Minutes were unanimously approved.

## **Pittsburgh Buddhist Center – Conditional Use – 58 QSI Lane**

Mr. Payne said that Wooster & Associates did a traffic study as was required at the September Planning Commission meeting; they reviewed and suggested improvements. Exhibits included; Traffic Impact Study – 10.7.2021, Crash Data Appendix 10.7.2021, Clarification of Sight Distance Evaluation for the Pittsburgh Buddhist Center 10.28.2021, and Scott Shoup’s comment letter 10.8.2021. Mr. Haydo of Wooster presented the sight line issues and deficiencies. He said that the intersection does not meet current PA Dot requirements. As well, he pointed out some things that could be done to partially mitigate the deficiencies such as clearing vegetation and grading. Comments were as follows:

1. Mr. Butala stated that the sightlines run along the state road and asked if the Buddhist center owns any of the property involving the sightlines. Mr. Haydo said no, the Buddhists did not own that property and anything that they would do on their property to mitigate the sightlines wouldn’t be significant.
2. Mr. Karunaratne stated that KAS Enterprises owns the property around the entrance road. He stated that the entrance intersection has existed that way for 30 years and he is asking for your mercy.
3. Mr. Butala said that the Planning Commission needs to protect the public safety and must take these findings under consideration.
4. Mr. Payne said that KAS Enterprises is in the owner of the property and is in the process of gifting some of the property.
5. Mr. Butala asked what is the increase of traffic with the Buddhist Center compared to other uses.
6. Mr. Haydo said that they did not consider uses other than the Church.
7. Mr. Payne said that this is not a traditional church. They don’t have large masses. In any case, this is about sightlines and not capacity. There appears to be some opportunity to remove a stump and grade the embankment.
8. Mr. Haydo confirmed that removing the stump and grading is highly recommended.
9. Mr. Stark asked if QSI lane was private. Mr. Payne said yes. Payne said that the application was not complete until a traffic study was done.
10. Mr. Stark said that the question seemed to be whether or not they should address the deficiency.
11. Mr. Haydo said that they cannot fully mitigate the deficiency, but that they can do everything in their power to mitigate as much as possible.

12. Mr. Bechtold asked what else is in QSI Lane. Mr. Karunaratne stated 4 companies are there and that they use heavy trucks. They have been there for a while; KAS leases to them.
13. Mr. Bechtold asked what the use of the existing building was. Mr. Payne said that the use was a Conference Center. Mr. Karunaratne said that was the use prior to the previous owner.
14. Mr. Payne asked whether KAS Enterprises might mitigate some of the issues.
15. Mr. Butala said that this is a KAS issue. KAS must take of this without delay. This needs to be addressed.
16. Mr. Karunaratne said that KAS has contacted a survey company and will try to get a consent from the owner to mitigate.
17. Mr. Banks asked why they haven't remedied this sooner.
18. Sue Goodwin introduced herself as a member of the congregation and went over the events roster. They have 4-6 people and have a series of events. Wednesday is an ongoing event and has about 15 people. April is the largest event and has 30-40 people.

A motion was made by Mr. Stark and seconded by Mr. Banks that they approve the Conditional use based on the Pittsburgh Buddhist Center making recommended mitigations to improve sightlines to extent possible by following the recommendations of the traffic study. The motion was unanimously approved.

### **Zoning Ordinance Audit Worksheet**

The zoning ordinance audit discussion was tabled due to the absence of the consultant who prepared the worksheet, EPD. Discussion will occur next month if EPD is available to attend.

### **Michael & Teresa Coletta Subdivision**

Mr. Craig Bishop of HRG presented the Subdivision. He said that Michael and Teresa Coletta are selling the front of their property at 201 Starr Rd. to Dollar General. Exhibits include the SALDO application, the Subdivision Plan Sept.2021, the Redacted Agreement of sale March 19, 2021, and Scott Shoup's comment letter 10.19.2021. Comments and discussion points were as follows:

1. Mr. Bechtold asked about items #2, and #3 of Scott Shoup's letter. Mr. Bishop went over the setback items and also stated that items on the site will be moved to comply with setbacks.
2. Mr. Stark asked whether there are 2 buildings being built on the site. Mr. Payne said no that those were 2 existing outbuildings in the setback. He stated that it's a weird lot as is the case with flag shaped lots and the front yard setback is started where the minimum lot

width is first established. The front yard building line can be placed on a diagonal in some cases. Ms. Nelko said that there has to be a 150' width at the building.

3. Ms. Nelko asked that HRG add the HOP driveway permits for the 2 driveways (#4), and show the sanitary easement along the stream (#5).
4. Mr. Bechtold questioned the sanitary line right of way width along the stream and Ms. Nelko said that the dimension was very close.
5. Mr. Butala asked if a revised plan would be submitted.

A motion was made by Mr. Stark and seconded by Mr. Bechtold to table the Coletta Subdivision to the to the November meeting. The motion was unanimously approved.

### **Russellton Dollar General – Conditional Use and Land Development**

Mr. Robert McCollum of Penntex presented the plan. He explained the site, demolition of the existing building, the new general dollar location, and existing conditions. The zoning is C2 Highway commercial, and the proposed use is a retail store greater than 10,000 SF. They are currently working with PennDOT on entrances as well as they are developing stormwater connections, a new driveway and utilities including sanitary sewage back to the Coletta property. This will be shown in the Sewage Planning Module. They are over an acre of disturbance and will need an NPDES permit from Allegheny County Soil Conservation District. A Landscape plan with buffers is also required. Exhibits include the Conditional Use Application 9.17.2021, Building Drawings A1.1, A2.1, and PH1.1, the preliminary/ Final Land Development Plans (21 Sheets) 9.2021, and Scott Shoup's comment letter 10.20.2021. Comments and discussion points were as follows:

1. Mr. Bechtold asked whether the radius for the entrance drive could extend past the property line. The drawing was deemed to be in compliance.
2. Regarding Mr. Shoup's letter, Mr. Voltz asked whether the requirements for Conditional Use as put forth in Section 210-120A(41) have been addressed. Mr. Bishop said that they will be responding to all the items in Mr. Shoup's letter.
3. Ms. Nelko said this will need to be tabled until all items have been addressed.
4. Mr. Payne said that conditional use items will need to be handled as well.
5. Mr. Voltz said that an extension will need to be obtained so that the public hearing could take place within 90 days from the date of application.
6. Regarding Mr. Shoup's letter, Mr. Bishop said for #3 – They will have more parking spaces than required, for #4, yes, they will correct that mistake, for #5 they will show a detail drawing of the dumpster outside of the 25' requirement or prove an accessory use, #6 – they will correct, #7 – they will show the easement in the drawing.
7. Mr. Bechtold said that they will need a sewage planning module to accommodate 200 gallons per day. There is sewage along the back that is existing.

8. Mr. Payne had some comments from Mr. Schmidt: Look at the turning radius' of the trucks.
9. Mr. McCollum said that there will be one 53' truck per week.
10. Mr. Bechtold asked if a traffic impact study was required. Mr. Payne said no but a traffic impact fee was required.
11. Mr. McCollum said that they may utilize the WB62 modified truck.
12. Mr. Payne said that Mr. Schmidt wanted to escrow sufficient funds for landscaping as the Dollar general in Bairdford has some issues with shrubbery dying.
13. Mr. Stark questioned all the trees to be removed on drawing DM-1 Site Demolition Plan. Mr. Bishop said that the site dropped off quickly there and that they needed more room.
14. Mr. Payne noted that the truck turning radius encroached on a parking spot but will not be an issue as the delivery hours will be very early so as not to coincide with hours when the store is being heavily used.
15. It was discussed as to whether the catch basin on Starr Rd will be able to handle the runoff during a storm.
16. Mr. Bishop said that they are actually reducing the runoff that is going in there today and are currently working on that.
17. Mr. Payne is encouraging an oversize retention pond to reduce flash flooding. Also, the buffer by the funeral home is not correct as it is to be Type A screening and Type B is currently on the plans and no buffer is shown on the East side which also needs to be Type A.
18. Mr. Bishop said that no buffer is shown because it is in the same zone.
19. Mr. Payne said that landscaping is still needed in the front and side yards.
20. Mr. Payne said that they will need to look at the architectural standards but be aware that there are typos in the ordinance and the information is listed under the industrial zoning district but references special use/commercial uses. I did mention this to DG engineer prior to the meeting.
21. Mr. McCollum shared photos of the East Stroudsburg, PA store, which is the prototype for the Russellton store, They have sized up to offer fresh foods. This is an upgraded front facade prototype.
22. Mr. Butala asked whether they can take this photo as what the new store in Russellton will look like and Mr. McCollum said yes.

23. Mr. Banks wants to see the following items on the landscape plan: warranties, definition of seed and sod, definition of mulch, stormwater delineation, items to remain on demolition plan, looking at deciduous trees such as single stem service berry.

A motion was made by Mr. Bechtold and seconded by Mr. Banks to table the Russellton Dollar general – Conditional use and Land Development to the November meeting. The motion was unanimously approved.

### **Traditions of America – Rose Ridge – PRD – Conditional Use**

Mr. David Bettison, Mr. Tim McCarthy, Mr. Ryan Lotus, and Rocco Magrino of Traditions of America presented the proposed PRD plan. Exhibits include the SALDO PRD Application 9.30.2021, the Legal description, the Project data Sheet, the Preliminary Geotechnical report 2.7.2020, the Mitigation Plan 8.20.2021, the Joint Permit Plan drawings (4 sheets), the residential Land Development Plan 9.30.2021 (29 sheets), and Scott Shoup's comment letter 10.23.2021. Comments and discussion points were as follows:

1. The owner of the property, Mr. Lenny Constantine is in ill health and cannot operate the golf course. There are tax liens on the property to include school and township. Mr. Constantine has declared bankruptcy. TOA will be able to process the bankruptcy at closing and within a short time pay off all liens.
2. Mr. McCarthy presented all the positive aspects of the proposed development to include Financial feasibility, green – not creating large impervious footprint, desirable – people want to move in, and sustainable – the development will have long term maintenance.
3. Mr. McCarthy showed a Rose Ridge TOA development power point presentation. It will be a senior community (55+ age restricted). He added that 1/3 of all households are 55+. There are 55 million currently and that number is growing exponentially. Look at existing housing stock. Housing drives healthcare costs. The most important aspect for people is the fear of losing their home.
4. Mr. McCarthy said that HOA has won the 55+ builder of the year award with 5500+ homes. The streetscape consists of 8 model homes with 6 different elevations. All elevations are custom. Amenities and supportive living are the biggest selling points. The clubhouse is the heart of the community with a pool, golf simulator, and bocci ball court.
5. Mr. McCarthy said that Rose Ridge will have 246 single family homes with over 1/3 open space with walking trails. There is also a full amenity package.
6. Mr. Magrino said that the development will generate 40 million in taxes over 10 years. The breakdown is \$30 million for the school, \$6 million for county and \$4 million for the township approximately.
7. The existing parcel is 176.49 acres. Deer creek is to the North and East.

8. Presentation included overall amenities, concept plan, Community Center on access road off of Gibsonia Rd. They have attained emergency access. They have a 22' cartway, have maximized green space and have a 50' buffer all around the community. Less than 1% of the buffer space is graded.
9. Further, there are 246 units as is required by a PRD. 1 offsite parking space is provided for each unit to equal 123 spaces. The required visitor parking is the driveway of each residence. There is a 15' separation between the homes and they will be looking for a waiver from the 30' required. In all they will be looking for waivers for grading on the buffer, parking, 15' separation, and sidewalks on one side.
10. All driveways are maintained by the HOA.

Discussion points were as follows:

1. Mr. Stark asked if the setback was 20' from the curb or ROW.
2. Mr. Payne asked whether they could extend the 20' pad to 25'. Mr. Bettison said that they could possibly add 2', but not 5'.
3. Mr. Stark asked about full-size pick-up trucks and passenger vehicles. Ms. Rojik asked how many people will customize. Mr. McCarthy said that people buying here don't have big trucks.
4. Mr. Butala asked if they had thought about electric vehicles. Mr. McCarthy said that they haven't looked at that possibility.
5. Mr. Payne asked whether there could be a modification request for the driveway or whether people could park off site or on the street.
6. Mr. McCarthy said that people will park in their garage as that is required by the HOA.
7. Mr. Butala asked if all of TOA's HOA's are the same. Mr. McCarthy said yes.
8. Mr. Butala asked whether there had been a chance to speak to Josh Weigand about the Boulevard entrance. Mr. Bettison said that they will be meeting with him.
9. Mr. Butala said that the covenants don't work if they can't be enforced; then they're not worth the paper they're printed on.
10. Mr. McCarthy said the community is serving higher end people. The homeowners want the rules to be enforced. Buyers sign off on the rules and have 40-70 days to review them. Basically said, "If you don't want to live by the rules, don't buy one of these homes. Things will not end well for you."
11. Mr. Banks asked about the depth of the garage being extended in part of the customization. Mr. McCarthy said that this could happen on some of the lots if desired. Mr. Magrino said that they are providing 494 spaces plus the clubhouse spaces.

12. Mr. Bettison said that the people that buy these homes are 1 or 2 car people.
13. It was decided that the 30' distance between homes reduced to 15' is still acceptable and the PC is agreeable to the modification. It does work with the stormwater requirements and reducing the total impervious surface.
14. Mr. stark asked if these are all patio homes. Mr, McCarthy said that up to 10% of the homes are able to have walk-out basements. Most of these homes would occur on the eastern side of the site.
15. Mr. Bettison said that they would comply with all the fire chief's requirements.
16. Mr. Payne said that they are concerned with trees hitting the fire trucks. Mr. Bettison said they will comply with meeting this requirement.
17. Mr. Bettison said that in light of having a sustainable development and the fact that the PRD has no such requirement (75.3.B), they are not required to have sidewalks on both side of the street. Why is the Township requiring sidewalk on both side of the street then ?
18. Mr. Butala asked what is defined as the "pedestrian circulation system?"
19. Mr. Voltz added that with the sidewalks on one side that they could just cross the street.
20. Mr. Bettison added that one of the biggest problems with turning over communities is spalling and disintegrating sidewalks. As laid out now, one can walk the entire site on sidewalks. Although Mr. Schmidt wants sidewalks on both sides. Hampton Tech has laid out many plans with sidewalks on one side.
21. Mr. Banks quickly did some sketches, and he feels that TOA is correct with the sidewalks on one side of the street. He shared the sketches with the group.
22. Ms. Rojik asked about the trails to walk dogs.
23. Mr. McCarthy said that they are in the process of developing these trails where they are safe and available. The floodplain area provides space to develop these walking trails outside of the asphalt and some of the materials that can be placed in the floodplain are regulated so consideration to the materials and locations are still in the process. Mr. Bettison added that they are planning these trails with the topography in mind and that they enhance the community.
24. Mr. McCarthy said that people don't use sidewalks. Trails help them sell homes as it is a desirable feature to their customer base, so they always look at making the trails attractive.
25. Mr. Payne asked if there was anywhere that they couldn't plan trails and it was pointed out that they couldn't place them on the steeper areas of the site.
26. Mr. Payne said that this must go in front of the Board of Supervisors.

27. It was also pointed out that TOA must get all PennDOT, and DEP permits needed.
28. Mr. Bettison said that TOA's attorney assures them that the process is proceeding.
29. Mr. Stark understands that parking can be expanded a little.
30. Mr. McCarthy said that they could do up to a 22' length pad, but that this pushes the patio homes closer to a steep slope and cuts down the available backyard space – this is undesirable.
31. Mr. Payne asked about going to 23' on 80% of the lots.
32. Mr. McCarthy said that they will look at this prior to the Public Hearing with the Board of Supervisors.
33. Mr. McCarthy said that they could consider removing the 2' planting strip. Mr. Banks felt that this might provide an answer as the small planting strip between the sidewalk and road has always proven problematic for sustained growth.
34. Mr. Stark asked how long of a nature trail can be done.
35. Mr. Payne said that there will be 3 gas well meetings in November, so a vote today won't get us anywhere as far as Public Hearing in November. The next step is the Board of Supervisors. An extension would need granted if an recommendation for approval was granted tonight. TOA stated that a recommended approval would help as logistically everyone would have to come back and was open to staying and working through any concerns and grant an extension for a meeting to happen in December.
36. Mr. Schmidt had asked (in email) about stormwater. Mr. Magrino said that they are using an aqua-spray system that utilizes misting and wets the stream. They are following extensive County regulations. They are also following regulations for lighting at 910 and the entrance per PennDOT regulations. (The entrance is diagonal to Premium Landscape.)
37. Mr. Stark wanted to know what the depth of the old mine was. The geologist has tested for the mine and this will be included in the geotechnical report. They have overlaid the mine maps with the existing plan and they will provide all information. The earthwork is balanced. Wetland plans are in accordance with all regulations. The Geotech will hand over the report to the Township.
38. There will be a TOA hearing in December on conditional use.
39. Mr. Magrino gave Ms. Nelko a revised set of drawings. Shoup Engineering will review this set prior to giving an updated letter to the Planning Commission/ Board of Supervisors.

40. Mr. Banks believes that there is an open mine shaft on the property. Mr. Bettison said that they will follow up with the geotechnical engineer and it will be included in the report.
41. Mr. Magrino said that they are looking into #15 from Mr. Shoup's letter regarding crossing the vertical curve.
42. Motion will include:
- a) Installation of a reasonable walking trail system in lieu of sidewalks on both sides of the roadways. This reasonable trail system will be confirmed in the final approval in land development phase of the application.
  - b) Eliminate the 2' grass strip between the sidewalk and roadway and increase the driveway pad to 22'.
  - c) Provide additional screening when the buffer yard does not provide Type A screening in relation to existing residential homes.
  - d) Provide Geotechnical reports for all areas where all ponds and wetlands are to be eliminated or filled.
  - e) Fulfillment of any outstanding issues in Shoup Engineering letter dated October 23 2021.
  - f) Identify sanitary sewer easements for neighboring properties where applicable based on the Township engineers' recommendations.
  - g) Allow 15' separation between structures in lieu of 30' separation.
  - h) Allow grading in buffer area provided landscape screening is added to those areas which is similar to Type A screening in relation to the property line.
  - i) Allow driveway parking to count for off street parking. Provide details on the HOA covenant package which includes the requirement to use the garage spaces for storage of vehicles and a clear method of enforcement of the HOA documents that does not involve the Township.
  - j) Provide full landscape, lighting, and all other plans in final approval of the land development process.

A motion was made by Mr. Stark and seconded by Ms. Rojik to recommend tentative approval of the Traditions of America – Rose Ridge. The motion was unanimously approved.

### **Rescheduling November/ December's Meeting:**

The November meeting will be on Thursday, November 18, 2021. The December meeting will be on Thursday, December 16, 2021. Both meetings will be conducted both in person and via Zoom. The meeting link will be posted on the web site. The change will be advertised.

### **Workshop discussion:**

There was no Workshop discussion.

The November meeting will be on November 18, 2021. It will be conducted both in person and via Zoom. The meeting link will be posted on the web site.